NATIONAL MUNICIPAL REVIEW

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National Municipal Review

Editorial Comment

The City's Extremity

THE REVIEW'S guess of several months ago[1] that the city of New York's billion-dollar budget could be cut many millions seems borne out by a current study.

The REVIEW advised that outside consultants would be more independent and objective than the mayor's new efficiency bureau could be.

Now the Citizens Budget Commission, a local organization invited in by the mayor, asserts that at least $30,000,000 can be saved in five departments alone by the adoption of modern methods and elimination of bad practices. New York has more than a hundred departments and boards. That's probably too many, even for a governmental operation second in size only to the national government. It is fairly certain that a vigorous, impartial examination of all departments would turn up constructive economies of much more than $30,000,000.

People everywhere who have grown up with the idea that Tammany is synonymous with vicious politics, that Tammany controls New York, and that therefore the metropolis pours the taxpayers' money down the political sewer, may find it hard to believe that New York is one of our best run cities. It is, for a politically managed place, even though John Gunther's notion that it tops the list is pretty far-fetched. Few jobs remain available today for the kind of favoritism and nepotism on which Boss Ed Flynn cynically rests his case.[2] And leaks through purchases and contracts were pretty well plugged long ago.

But there are deeply ingrained bad habits which make it difficult to get a full day's work for a day's pay. There is unwieldy bureaucracy. There are relatively meaningless and expensive traditions. There is resistance to new methods.

These weaknesses are by no means confined to New York. They are present in some degree in almost every human operation, public or private. And they are more wasteful and costly, in themselves, than the outright deliberate plundering which goes on when public resources are used, as Boss Flynn thinks they should be, to support political machines.

Cities, big or little, no longer can afford the luxury of waste. They face a serious financial crisis. Most of them must restore plant and equipment neglected during the depression and war, and they must do it in a period of high costs. Meanwhile, they are in a financial straitjacket. Their sources of revenue are inflexible.

There is a great hue and cry among the cities for more state aid and a larger share of state-collected taxes. Such demands are justified.

[1] See editorial, July 1947, page 365.

[2] See page 121, this issue.

But they would be more clearly valid if equal anxiety and pressure were put on getting their operations critically examined by competent outsiders, cutting out unnecessary waste and operating their services efficiently.

The ills of local, county and state government are not unknown. The experts have identified them long since. And anyone who can read or listen should have no difficulty knowing their cause and cure.

The taxpayer's extremity should be the opportunity. What is known as "good government" should make great strides within the next few years as more and more municipalities get so hard up they'll have to face the facts.

Fractional Cities

AN INCREASING proportion of our population lives in communities that are out of balance economically and socially in ways that make political orphans of people and thwart the urge—which we must have in a system of self-government—to participate in public affairs.

There are the lean-to communities that lie profitably against the boundaries of large cities separated only by an invisible legal line. Eastern Massachusetts provides an extreme case. Numerous suburbs encircling congested Boston house the employers and constitute most of the region's high-value residential areas—spacious patches of costly homes with a high per capita taxable base, no industry, no poverty and little need for service.

But a satellite community may be, contrariwise, a grouping of humble homes around a smoky factory with no high-grade residential or shopping district to average up the tax revenue. Hoboken, a square mile of modest dwellings within the New York metropolitan area, struggles with the fact that it lacks the normal American proportion of wealth, good leadership and philanthropy. Citizens who advance in wealth move into better residential neighborhoods, but as these are over the line they forthwith dismiss Hoboken's condition forever from their consciences.

The coming of the automobile, including the motor truck, is encouraging a further and wholesome sprawling out of population from even small urban centers to a ten or twenty mile radius—500 to 1,200 square miles. It shows in cities of recent sharp growth like Hartford. It is not merely a residential scatteration; new factories go out to the cornfields, too, and draw to their parking lots all the employees they need from an endless open countryside.

As to the old congested center thus left behind, a discriminating conflagration that turned its blighted and decadent areas into permanent parking and access facilities would conceivably exhibit the ultimate pattern for an efficient center, with elbow room brought inward clear to the shadows of the office and factory buildings.

The transition from compact cities to vast semi-urban areas of low population per acre brings difficulties in administering and financing services; the web of political boundaries is at odds with logical engineering. Freak administrative results develop in relative taxation, planning, water supply, transportation, fire protection, relieved when overdue annexations solve the problem, whereupon another similar tangle develops farther out.

The situation also bedevils the unit communities of the region. Some of them get too many of one kind of people. Suburbanities follow the political news in the big city newspaper and ignore the little village newspaper, even if there be one, and that brings unawareness of village politics. The local retail storekeepers club together to run the village for their private advantage in opposition to the "sleepers" who work elsewhere each day.

Capable and public-spirited citizens pursuing a welfare problem, are halted at the village border and blocked from attacking social or political conditions in a backward impoverished area next door; the distance may be only half a mile, but they are outsiders. People shift to homes a mile or two away but, because they have crossed a line lose their political roots and have to begin anew. Citizens get parochial in their political interest and fall into a false loyalty that impels them to vote for the interest of their little bailiwick against the pressures of broad regional needs.

Metropolitan regions, multiples of many governments, have been studied, rather hopelessly, for years; the Los Angeles congeries—353 governments — with its new wartime growth, is being competently studied now as a region.

But the emerging pattern of urban living is one which even a growing city of 50,000 faces. It will show a weak non-growing super-Main Street at the center, with blighted residential districts and very little new housing, serving a thin, far-flung population over a ten-mile radius—under a dozen separate jostling governments. And with citizens compartmented likewise to the detriment of their political effectiveness.

Licenses Can Be Policemen

Well administered licensing system will aid in many ways in regulation and supervision of business and industry.

By BLANCHE DAVIS BLANK*

THE municipal license has one of the widest vistas of any administrative device. It can accomplish more with less ado than almost any other form of local sanction. Yet this stepchild of the city fathers is frequently only a yellowed roster of names of various enterprises that are required to pay a yearly fee. In return for this fee the business or individual receives a printed license display card.

These perfunctory activities generally comprise the entire "system," sole purpose of which is financial.

But a license is more than just a source of revenue. It represents a master key to several administrative and social problems. On the one hand, the license opens the door to an efficient method of regulating certain industries which require supervision in the best interests of the public. On the other hand, it locks the door to many racketeers who might otherwise handicap legitimate enterprisers. It can aid the effectiveness of the police, health and safety work of a city. To overlook these aspects in prescribing a law defeats the very purpose of a license, the essence of which is not to prohibit nor to grant freedoms but to restrain and regulate. This should be the primary legislative thought when a license requirement is instituted.

Unfortunately, too few people understand the protection afforded by a well run municipal license system. And in order for a good license system to function, its services must be well known to the public. Here is a brief summary of what a well administered license system can do:

(1) Insure adequate knowledge and skill in particular occupations, (2) raise the standard of services offered to the public, (3) fix moral responsibility on those engaged in occupations affecting the public health and welfare, (4) guarantee financial responsibility in occupations involving the handling of other people's money,

(5) protect the public from fraud and dishonesty, (6) provide for the health and safety of workers in certain trades, (7) protect the consumer from goods or services that might prove dangerous, (8) eliminate graft and illegitimacy in certain business fields for the benefit of the honest enterprisers, (9) encourage citizenship and residency in a particular area, (10) help prevent minor economic crises by precluding overcrowding in certain businesses and trades,

(11) aid in general law enforce-

*Mrs. Blank is teaching government at the College of the City of New York. During her senior year at college she was an honors research assistant to William B. Herlands, then New York City's commissioner of investigation. A licensing system which she worked out for the city of Syracuse in connection with her studies at the Maxwell Graduate School of Citizenship and Public Affairs of Syracuse University, received interest and attention from city officials.

ment and the reduction of criminality, (12) absorb part of the locale's handicapped population by restricting licenses in particular spheres to the blind, maimed, etc, and (13) provide the average citizen of limited time and money with a swift, simple and inexpensive administrative avenue of redress against petty abuses.

Non-license Picture

A few examples may help make this picture more vivid. Without a properly enforced licensing system the average unemployed individual is an easy prey for a variety of sharp practices. Almost any condition can be imposed on him when the inducement held out is work. Unsupervised agencies can easily become the haunts of undesirable characters. In some instances bookmakers, brothel-keepers, sweat-shop operators and other unsavories have used employment agencies as recruiting grounds.

Furthermore, agency operators themselves have been known to charge exorbitant fees, register applicants who were under-age, and send people out to jobs under false pretenses.

Today, of course, the situation is less critical than it was during the 30's. Still, it exists. If this field were covered by a municipal license provision, adequately regulatory and well enforced, abuses of this sort could be mitigated. The New York City employment agency license provisions, for example, require a careful check on the character of the owner of the agency, on the persons who frequent the agency, fees charged, information brochures used, physical facilities of the establishment, clients and still other details. These matters are investigated before a license is issued and checked periodically.

The same sort of elaborate treatment is needed for business enterprises that may become the tools of criminals. Pawnbrokers, second-hand and junk dealers are good examples. Proper license control, through inspection of books and preliminary investigation of the dealer's character and connections, make the tracing of thieves and other lawbreakers an easier job for the police.

New York City again illustrates the point. Pawnbrokers there are required to list every transaction—including the name, address and occupation of the vendor and a careful description of the article—in a daily report to the police. This is then checked against thefts reported to headquarters. If a dealer handles too many "hot" articles, or is in other ways involved in irregularities, his license is suspended. This threat of being put out of business acts as a salutary stimulant to efficiency and honesty in the daily dealings of such enterprisers.

Motion-picture houses, meat-packing plants, barber shops, laundries, amusement halls—all are businesses that clearly affect the public health and safety. Through an adequate license system it can be insured that aisles are wide enough, stores fireproof, stairs safely lighted, handlers of food clean, children's sections in theaters supervised—to mention just a few items.

A licensing system worthy of the name should include a competent and full-time administrator, a number of inspectors—or a group of

specially assigned policemen, a thorough knowledge of the license laws on the part of all officials concerned, a complete and detailed set of records, an official to hear complaints of and against licensees, and an intimate liaison between the license function and other city departments.

While these features may appear obvious, they are considerably beyond what is generally found. A typical example of municipal licensing practices can be demonstrated by the situation in one large city of upstate New York. No one, from the mayor through the city clerk (the licensing official), down to the patrolman in the police department whose special function it was to check up on licensees, knew just what licenses the city required in the first place. Naturally, the details beyond this, concerning conditions under which licenses were granted, were completely ignored.

As in so many cities this community had no compilation of municipal ordinances. All the city laws were recorded—originally by hand, later printed—in a series of four huge volumes without any sort of comprehensive indexing. These tomes were kept carefully locked away in the city clerk's office and were completely inaccessible.

A conveniently indexed compilation of the license laws was made generally available later and many oversights and areas for reform were brought to light. It was found that the city laws required the licensing, along with concomitant regulation, of poolrooms, bowling alleys, expressmen and lodging houses. None of these institutions was being licensed at that time. Another anomaly disclosed was that a license fee was being currently collected from a shooting gallery without any vestige of statutory permission.

On further investigation it was discovered by this city that if the license laws were effectively carried out it would be possible to implement the work of other city agencies, increasing public welfare and safety.

Why a License System?

The question will surely be raised as to why a licensing system should be needed to provide this simple sort of police or health department service. The answer is threefold. In the first place the license provides for an ounce of prevention instead of the usual pound of cure. It is no longer necessary to wait until after damages occur to seek relief. One can, under a properly conditioned license provision, establish his equity in a case by telephoning a complaint charging that a licensee is not complying with specified stipulations.

Another type of precaution is exercised through the preliminary investigation, including a character check and finger-printing which many license applicants undergo. This eliminates the hazards of having a face familiar to police files run the poolroom your sons may frequent.

In the second place, the license affords the citizen a unique benefit not obtainable through other channels of regulation. A license system provides for administrative adjudication. This means swift, sure and simple justice in the type of cases most individuals would not bother to take to court for reasons of time,

finance, ignorance or a general dislike for the mysteries of the law.

Redress Easy

A poor housewife, for instance, who has lost five shirts in a laundry through either fraud or carelessness, can seek a cheap and quick redress at the office of the licensing official. There is no need for counsel, no court expenses and no legal formalities or time-consuming red tape. The hearing officer delivers an opinion based on evidence, shrewd observation, experience and common sense—which is generally just what the situation needs. The sanction, loss of the privilege of conducting business, is severe enough to insure immediate compliance. And still, the rule of law is not lost since either party to the dispute may appeal the case to a court. But this preliminary step avoids the abuse of justice that frequently occurs when the poor or oppressed, who often shy away from the courts, fail to take action because the channels open overwhelm them. This easily available remedy also eliminates situations that can be handled by simple arbitration, thus clearing overworked court dockets.

Finally, the license provides administrators of municipal affairs with an unusual degree of economy and efficiency. The license is singular among administrative sanctions in that it places the onus of compliance upon the individual instead of placing the burden of enforcement on the authorities. If a person fails to comply with the terms under which a license is granted, the remedy is simple—no license. If an individual already licensed does not live up to regulations his abuses can be quickly stopped by suspending his license. The highest form of punishment for violations is revocation of a license.

In case of revocation there is generally a court order backing the administrator. The courts, however—which are, of course, the final appeal—are prone to presume the competence of the license officer so long as he appears to be reasonable in his activities. Compare this procedure with the long, difficult and costly machinery that must be invoked by a health inspector who issues an order for the removal of a violation.

It is fair, of course, to ask how this comports with our system of democracy and our understanding in law that a man is always innocent until proved guilty. This question presents one of the serious drawbacks to an efficient license system. Possibly it presents the difficulty encountered in any efficient operation. Is it democratic? The answer must be put in terms of the men who administer the system. In the last analysis, any system is only as good or as democratic as the men who put it into effect.

With this reservation in mind, it can and should be urged that the 392 cities which collect over $82,524,000 in revenue from licenses and permits survey their license systems more carefully and introduce at least some of the regulatory features that are the potential and the genius of licensing. This will pay cash dividends as well as the more intangible rewards of a better satisfied citizenry.

Waste in Overlapping Taxes

Senator O'Conor calls for fewer matching funds, single use of sources, coordination between various government levels.

By HERBERT R. O'CONOR*

IF THE American system is to survive—and it will despite all the wishful forebodings of democracy's opponents—not only must there be a marked reduction in the amount of over-all taxation our citizens are called upon to shoulder but individual and business alike must be freed from the annoyances and inefficiency of overlapping and duplicating levies. One path to such tax reduction, to such relief for the taxpayer, is through coordination of the tax systems of the various levels of government.

It is my conviction that the maximum tax reduction at which we aim can never be fully achieved without coordination and its resulting elimination of waste and inefficiency. Conversely, there is no doubt but that coordination of itself will, and inevitably must, bring about reduction in total taxes.

The report of the Joint Committee of the National Tax Association, the American Bar Association and the National Association of Tax Administrators[1] is a comprehensive treatise in concise form which merits the study of every member of Congress as well as of every state and local official and, indeed, of every thoughtful person. Solutions advanced offer an approach to the achievement of the desired goal of tax coordination.

In its discussion of the basic phases of the problem and in the very detailed and realistic study and recommendations concerning income taxes — including the community property phase, death and gift taxes, levies on gasoline, tobacco, alcohol and others which figure largely in the total revenue of federal and state governments—the joint committee report presents a solid factual foundation for the further discussions which must ensue before steps can be taken legislatively to assure cooperation among the various levels of government.

All who study the report will not be in entire agreement with all the proposals, which is to be expected. But the meeting of minds which produced this report advances the project of tax coordination to the point where, first, the vital importance of the problem is made clear and, second, the recommendations form a firm basis for discussion with other groups working in this field and with the members of Congress and state legislatures, municipal officers or county commissioners who finally will be called upon to enact the legislation or procedures required.

Having participated as a repre-

*U. S. Senator O'Conor of Maryland was formerly governor of the state of Maryland. He was president of the Council of State Governments in 1943 and national chairman of its Interstate Committee on Postwar Reconstruction and Development. This article is his address, in part, before the National Tax Association at Miami, November 20, 1947.

[1]*The Coordination of Federal, State and Local Taxation,* 1947. 103 pp.

sentative of the United States Senate in the Joint Congressional-State Tax Conference in Chicago, it is most gratifying to note that all present there were in full agreement with the conviction of the joint committee that each level of government should function upon its own revenues, and that the governmental body which spends tax funds should have the responsibility of raising them. While matching funds and grants-in-aid may never be dispensed with entirely, their reduction to the absolute minimum, it was felt at Chicago, would tend to keep expenditures on a business-like basis and prevent projects of dubious worth such as all of us have seen on numerous occasions in the past.

Another point of agreement between the Chicago conferees and the joint committee was with respect to the priority claim of the states in the field of gasoline taxation. They urged that the federal government withdraw from this field and make a start promptly in this direction by decreasing the present one-and-a-half-cent tax to one cent, looking to the ultimate complete elimination of the federal gasoline tax.

As one who believes, however, that the motorists are among the most overtaxed and harassed of any group of taxpayers, I must voice opposition to that part of the committee's findings which would provide that: "If the state taxation of motorists is relatively fair and moderate and still yields revenues in excess of highway needs, there would seem to be no compelling economic reasons which would prohibit the use of those revenues for non-highway purposes."

Present highway costs would doubtless make such a possibility remote. Even were this not the case, however, I believe that motorists pay so many and such heavy taxes for the privilege of driving that it would be most unfair to tax them as a group for general fund purposes.

Tax Barriers

In its conclusion on liquor taxation the committee decries "discriminatory taxes and the erection of other barriers to importations from other states." Here we can stand together without the slightest difference—except that it has always been my firm conviction, and as governor I joined in many efforts based on the belief, that *all* discriminatory barriers between states were to be deplored and to be removed as promptly as possible. During the war it was my privilege to be particularly active, on behalf of the Council of State Governments, in activities looking to the suspension of state truck-weight regulations which hindered urgent transportation for the war effort. We were most successful in these efforts.

In its discussion of the largest revenue producing tax of them all, the income tax as applying to individuals and corporations, the joint committee carefully refrained, as was to be expected, from any recommendations for reducing this form of levy which weighs so heavily upon the great mass of our population. I am sure, nevertheless, that the exhaustive studies necessary to the compilation of such a report would impress upon any student of government the urgent need for prompt and generous relief from this burdensome impost.

Debates on Capitol Hill will center largely upon the question of relief for the suffering people of Europe's devastated areas. The need there is urgent and, in the name of humanity, America can do no less than its utmost to allay hunger, to supply fuel and clothing, and to help the hapless inhabitants of those countries to get back on their feet economically.

We must remember at the same time, however, that the fearful rise in prices of all necessary cost-of-living items has cast its blight upon the lives of millions of our own people who find that even the increased wages of the boom period through which our country is passing are not adequate for the maintenance of even a basic standard of living. They too must have relief in the form of lowered income taxes which will permit them to retain enough of their wages to meet increased costs.

Suffering too from the blight of oppressive taxes are the twin sources of national stability and prosperity —American business and industry. They likewise must be given the helping hand of lowered taxes if they are to continue to furnish employment in record totals.

The rundown condition of Britain's coal mines shows what happens to industry and business when funds are not available for proper maintenance and replacement or for the necessary research to keep plant facilities and methods abreast of the changing needs and opportunities of the times.

Businessmen know how dangerous a condition it is when government takes from business and industry such a large portion of their earnings that such vitally necessary provisions for the future are rendered impossible. Particularly is this so under the abnormal price conditions prevailing today, when equipment and plant replacements cost not less than twice as much, and sometimes three times as much, as such replacements would have cost before 1939.

Taxing Industry

We all know that the most urgent need of the moment is steel. Available production facilities fall far short of American and world needs. Yet steel officials are reluctant to spend the vast sums required to expand their facilities because the experience of the years after World War I reminds them that world demands for steel are likely to fall below even present maximum facilities once the immediate demand for their product is met.

What incentive is there for the leaders in this industry to plan for expansion to meet world needs when the report for the first three months of this fiscal year shows that taxes consumed more than five-sixths of the net profits of one of the largest steel companies of the nation? How much do you suppose can be laid by for expansion under such conditions if stockholders are to receive the moderate return on their investments which is rightfully theirs?

The people of Britain have found to their dismay how difficult it is to meet world business competition and to produce in quantities necessary for a reasonable standard of living, with mining and industrial facilities which are worn out or obsolete. It

must not be permitted to happen here.

The point is well taken in the joint committee's report that it will be "just another report on tax coordination unless all grades of government accept the responsibility of undertaking specific improvements in the coordination of their taxes." This will require certain basic information upon which the various levels of government may base their efforts towards coordination.

Study Commission Suggested

It was because of my conviction that these basic facts must be at hand before any general revision of the complicated national taxing system is undertaken that I presented to the Senate early in 1947 Senate Joint Resolution 90. This would provide a national nonpartisan commission to make a study of tax collection procedures, overlapping and duplicating tax lexies and the effects of federal grants-in-aid, and to make recommendations to Congress for the coordination of the tax systems and the proper allocation of taxing areas to the various governments.

Under a subcommittee of the Senate Committee on Expenditures in the Executive Departments a thorough study is being conducted to uncover all possible facts regarding present taxing methods as a basis for a report on Senate Resolution 90. Many of the findings were discussed at the meeting of governors and congressional representatives in Chicago, where it was most gratifying to note a general agreement on fundamental objectives.

Likewise, the committee's belief, as expressed in its report, "that tax coordination is desirable among the states and with their local subdivisions," is particularly interesting because only last year I was privileged to initiate efforts along this line in Maryland which have resulted in well considered reallocation of tax revenues and sources of taxation to the benefit of the counties and municipalities of the state.

Recognizing the acute financial situation faced by many of the component units of the state, I established a commission to determine a more equitable tax relationship. Its report, made after thorough study of the relative fiscal strength and needs of the state as well as of the political subdivisions, met with universal acceptance and the entire program was adopted with only minor variations.

Local taxes, such as state licenses, recordation taxes for real estate transfers, taxes on admissions, etc., were reserved for the counties and for the city of Baltimore; the system of taxation as applicable to racing revenues was revamped to the point where the political subdivisions now share liberally, and the income tax law was revised so that the counties and the city of Baltimore now are assured of a limited first call on the taxes paid by their individual residents while permitting the state to increase or decrease its portion of income tax receipts according to its needs.

This represents an instance of what gradually must be done as between the states and their local units, as well as between the states and the federal government, if the goal

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Counties in a Strait-jacket

Antiquated state constitutions keep barriers in the way of efforts to meet modern needs for greater efficiency.

By M. H. SATTERFIELD*

THE 1947 session of the Tennessee legislature rejected a proposal to call a constitutional convention to effect certain changes in the state's unamended constitution. But had the proposal been enacted, and had the constitution been changed in accordance with the recommendations of the Revision Commission, counties in Tennessee would still have remained in much the same strait-jacket as before.

Of the nine proposals for amending the constitution,[1] only one dealt with counties and that in a limited way. Under this proposal the legislature could have provided by general law for the consolidation of any or all of the functions of any city with those of the county in which located, provided it received the approval of a majority of the voters in each unit of government.[2]

Tennessee's constitution was adopted in 1870 and has successfully withstood all attempts to amend or replace it since that time. The document, like the constitutions of so many other states, contains many provisions which hinder or restrict adoption of effective governmental methods and procedures.

One such barrier relates to the consolidation or dissolution of counties. At the time the Tennessee constitution was adopted all emphasis was on the creation of new counties. As a result that instrument is strangely silent on county consolidation. The constitution contains, however, several provisions relating to county boundaries, county seats and limitations on the creation of new counties which affect any effort to reduce the number of counties.

For example, the constitution designates several counties by name and goes into considerable detail in defining the boundary lines of other counties. It also provides that no county seat can be removed without a favorable two-thirds vote in the county thus affected, nor can any part of a county be taken to form a new county without the approval of two-thirds of the qualified voters in the part thus taken.

Despite these detailed provisions of the constitution, one consolidation has been effected in Tennessee. In 1919, after a favorable two-thirds vote in the county to be abolished, James County was annexed to Hamilton County through specific legislation.

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[1]See *Report of the Constitution Revision Commission*, State of Tennessee, November 8, 1946.

[2]Such consolidation of functions is already possible under existing Tennessee law. See *County Government and Administration in the Tennessee Valley States*, by M. H. Satterfield. Washington, 1940, Tennessee Valley Authority. Pages 125-126.

In 1939 a general law was passed in Tennessee authorizing counties to consolidate and offering a subsidy to any county that would vote its political extinction. No county has taken advantage of this legislation, although initial steps were taken in one instance.[3] There are probably other more compelling reasons why no action has been taken under the law but one reason is undoubtedly the complicated procedure for consolidation, made necessary by the constitutional restrictions outlined above.

Constitutions in many other states likewise contain restrictions on the merging of counties. Fortunately, however, as these documents are being revised or amended more liberal provisions are being added on county mergers. In the new Missouri constitution, for example, provision is made for the consolidation of two or more counties by a majority vote in each of the counties affected.

Similarly, in Georgia a recent revision of the constitution limits the number of counties to 159, the number now existing, and provides that no new county can be established except by the consolidation or merger of existing counties. Two or more Georgia counties can be combined on a favorable vote in each participating county.

Barriers to Structural Changes

Perhaps one of the most serious obstacles to providing an effective county government is the practice in most states of embedding in the constitution provisions pertaining to county administrative officials. Few states are entirely free of such provisions and in many states the number of elective officials so provided for constitutes the majority of county officials. The office of sheriff is the one most commonly found in state constitutions, it being a constitutional office in some 40 states. Offices of county recorder or register, coroner, trustee, tax collector and auditor are others commonly found in state constitutions.

In Tennessee constitutional officers include the sheriff, trustee, register, coroner, ranger and clerks of the chancery, circuit and county courts. In addition the Tennessee constitution provides for the selection of justices of the peace and confers upon them as the county's chief governing body certain powers and duties. The embedding of these offices in the Tennessee constitution has made it almost impossible to provide an effective county organization. The State Supreme Court has held, for example, that the county governing body composed of justices of the peace is a constitutional body which cannot be abolished by legislative enactment, nor can it be deprived of those duties imposed upon it by the constitution.[4]

[3] The details of this law and the only attempted use of it are described in "Tennessee Counties Stand Pat," by M. H. Satterfield, the REVIEW, January 1940.

[4] *Prescott* v. *Duncan*, 148 S. W. (Tennessee) 235, 1911. The constitutional duties of justices of the peace in their capacity as the county governing body include appointment of a coroner, a ranger (office now extinct), and such other county officers as may be provided by statute and not elected by vote of the people. Justices are also empowered to fill vacancies in the offices of sheriff, trustee and register until the next regular election, and to determine the county tax rate.

Tennessee has, nevertheless, experimented with other types of county governing bodies, although it has not been possible to abolish the county court, the governing body composed of justices of the peace. One such plan has been the commission form of government. Shelby County was the first to adopt this form, establishing in 1911 a three-man commission with jurisdiction over all those county affairs which could be taken from the county court.

Other Tennessee counties have adopted the commission plan with varying degrees of success. In all cases, however, it has meant setting up a duplicating governing body. A special act passed by the Tennessee legislature in 1937, for example, set up a commission plan for Knox County. Griffenhagen and Associates in their survey of Knox County government in 1940 criticized the county's governmental setup by pointing out that the board of commissioners "was superimposed on the antiquated organization already existing. The transfer of functions from the old organization to the new was not expertly done. The lines of cleavage were not well drawn, nor were provisions for concerted action between the old and the new well established. Jagged scars of overlapping jurisdiction and duplicated powers were left, as well as broad areas in which failures to provide for unification of effort leave gaps in the structure. On the whole, what may have been a worthy effort operated to confound the confusion already existing."[5]

[5] *Report on an Exploratory Examination of Local Government in the Knoxville-Knox County Area, Part 1, The Government of Knox County,* December 31, 1940, page 38.

The county manager plan in modified form has also been used to a limited extent in Tennessee. In 1941 the legislature enacted a modified county manager law for Hamilton County. Under this law a county council consisting of the county judge and four councilmen elected at large was given control over those county functions which could constitutionally be given to it. The council was directed to employ a county manager to serve at the will of the council and to exercise general supervision over county functions under its jurisdiction.

The government adopted in Hamilton County has apparently worked out very satisfactorily. Savings have been effected in a number of instances and there appears to be improved services. Based upon the success of the modified manager plan in Hamilton County, a similar plan has been put into effect in McMinn County, in which the "Battle of Athens" took place during 1946.

The situation in Tennessee is similar to that found in many other states where constitutional restrictions prevent establishment of a completely integrated form of county government. In these states counties are saddled with outmoded administrative methods or forms that go only part way in providing machinery for meeting present day problems.

A few states have remedied this situation. Virginia, for example,

amended its constitution in 1928 and authorized the legislature to provide optional forms of county government. Acting under this authorization the legislature has provided three optional forms of government, any one of which may be adopted upon a favorable vote of the county electorate.

Approximately a dozen other states have adopted new constitutions or have amended existing constitutions to provide for optional forms of county government.

In most of the states where constitutional restrictions on forms of government have been removed, the legislatures have usually made available to the counties the manager as well as other plans of government.

Although in general counties have been slow to take advantage of this legislation, the opportunity is offered to any county to decide whether it wants to adopt a more integrated county governmental structure. For example, only four Virginia counties have manager government, but several others have voted upon the plan and rejected it. The point is that any Virginia county can decide for itself whether or not it wants the manager or some other form of government. This is a freedom of choice not available to the counties in those states having constitutional barriers which hinder or prevent changes in administrative structure.

The lack of constitutional restrictions hinders effective county government in some states. In a majority of the states constitutional provisions prohibit local and special laws applicable to counties. In Tennessee, Alabama, Georgia and a few other states, however, the constitutions contain no prohibitions or restrictions on the legislature's control over counties and other local governments. This means that a large part of the legislation passed in these states is local in nature and applies mostly to individual units of local government.

Restriction on Local Laws

In the 1943 session of the Tennessee legislature, for example, there were 473 private acts passed which required 1,650 printed pages; public acts, on the other hand, numbered only 158 and required a printed volume of only 458 pages. In the 1941 session, heralded as one of the shortest legislative sessions in Tennessee's history, the situation was even worse. In that year 546 local acts were passed requiring almost 1,900 pages to print, as compared with 164 public acts covering less than 600 printed pages.

There are several objections to the practice of controlling counties and other local units through special legislation. For one thing counties have very little to say about legislation dealing with local affairs. Although local acts are generally formulated by the local legislative delegation, this delegation does not always reflect the desires of the county concerned. Local legislation also places such a heavy burden upon the legislature that it is difficult for legislators to give proper consideration to matters of statewide concern.

The evils of such practices are pointed out in a recent study of the legislative process in Alabama:

> The practices surrounding local

and private legislation are pernicious in many ways. Such legislation often opens the way for the most shameless lobbying. It leads to unjustifiable and unsound demands upon the public treasury. It calls for a solution of local and private problems by an agency ill-designed to solve those problems reasonably. The legislator, willingly or otherwise, becomes the arbiter of the affairs of his county. At the worst he may emerge as a petty tyrant, with no recourse open to his constituents before the next . . . election. At best he is pulled and hauled between local political factions, forced to give more time and attention to local affairs than he can possibly give to the interests of the state as a whole; for advancement of local interests must be his major political concern if he wishes to remain in the legislature.[6]

Although it seems desirable to place some restrictions in constitutions on the amount and kinds of local legislation to be permitted, there is always the danger of so restricting counties that the situation might prove equally as serious as the practices of special legislation.

There is, of course, need for flexibility in dealing with the problems of counties. It is quite evident that the problems of the small rural county are vastly different from those of highly populated or urban counties, and the legislature should be permitted to deal with them on a different basis.

In the new Missouri constitution the problem of special legislation seems to have been handled effectively. The legislature was authorized to classify counties into not more than four classes with respect to their powers and duties. In carrying out this mandate the Missouri legislature has passed legislation classifying the counties of the state into four groups on the basis of assessed valuation.[7]

Conclusions

The county is more important today in terms of money spent and functions performed than it has ever been,[8] and earlier fears that it was doomed as a unit of government do not appear to be justified. While the county is a vital part of our governmental system, it is not well equipped to carry out the services now required of it or to fulfill its important relationship to the nation and the national economy. One of the basic reasons for this lag in keeping administrative machinery and procedures up to date is the matter of constitutional barriers.

State constitutions in general need an overhauling to remove these barriers and to substitute provisions which will permit and encourage better governmental practices and procedures at the county level. In this connection states would do well to consider the *Model State Constitution* issued by the National Municipal League. This document, while limited to the minimum essentials

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[6] *The Legislative Process in Alabama, Local and Private Legislation,* by Hallie Farmer, University of Alabama, 1944, page 45.

[7] See "Missouri Counties Streamlined," by Estal E. Sparlin, the REVIEW, July 1946, pages 337-343.

[8] See *The American County — Patchwork of Boards,* by Edward W. Weidner. New York, National Municipal League, 1946, page 15.

Federal Aid Due to Continue

Eighteith Congress has before it numerous suggestions for increased grants to assist state and local governments.

By J. KERWIN WILLIAMS*

DEVELOPMENT of a more complete program of federal financial aid to state and local governments apparently is due to continue in the United States even in times of normal prosperity and peace.

Heretofore the great expansion in federal grants, loans and advances to states and localities has been looked upon by many as merely a useful device in depressions or a method of meeting wartime emergencies. This has been particularly true of direct federal financial aid to local governments.

The record of Congress since the war ended, however, and the bills that will probably be considered in the present session, indicate that more and firmer ties may be established between the federal treasury and state and local governments.

Recent innovations in federal aid range from providing funds for airport development[1] to an authorization for granting moneys to plan and construct public and other non-profit hospitals within the states.[2] Other bills now in the mill would greatly extend the types and amount of federal aid to state and local governments in the fields of housing[3] and education.[4]

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[1]*Federal Airport Act, Public Law 377,* approved May 13, 1946, had as its purpose the providing of federal aid, through the Civil Aeronautics Administration, for making preliminary plans and surveys for needed public airports. Under it the 1947 National Airport Plan was prepared. Applications may be made for federal grants to help construct projects within the National Airport Plan.

The plan lists a total of 4,431 airports to be developed or improved within a three-year period, with the federal government to supply a total of $441,600,000. *Public Law 490,* approved July 5, 1946, contained appropriations of about $50,000,000 to start carrying out the provisions of the National Airport Act.

[2]*Hospital Survey and Construction Act, Public Law 725,* approved August 13, 1946. Thus far, appropriations have been made only for the survey and planning features of the act; $2,350,000 was made available under the *First Supplemental Appropriation Act, Public Law 663,* approved August 8, 1946.

[3]See the proposed *National Housing Commission Act* (Wagner-Ellender-Taft bill) S. 866, H.R. 2523. This measure would coordinate federal housing functions under a National Housing Commission, encourage private enterprise to meet housing needs, improve the low-rent housing program, create a farm housing program, and provide federal aid to localities for slum clearance and redevelopment.

[4]See the proposed *National Education Agency Act of 1947,* S. 1239, introduced by Senator Morse on May 6, 1947, and declaring that the policy of the United States shall be "through consultative services and by grants-in-aid to assist the states to make available improved educational opportunities to all citizens."

See also the *Education Act,* S. 81, introduced by Senator Green on January 8, 1947, proposing federal grants, to be matched by state or local funds, for supplementing the salaries of teachers in free public elementary and secondary schools.

Under this bill federal grants would

A number of the newer forms of federal aid have been centered partly or wholly in the Federal Works Agency, with chief responsibility for handling the programs given to its Bureau of Community Facilities. The expansion of the federal grant-in-aid idea in the postwar era, therefore, may conveniently be seen by examining briefly the current programs[5] of the Bureau of Community Facilities and those that may be assigned to it under bills pending in Congress.

Advanced Planning Program

Since May 1945 the Bureau of Community Facilities of the Federal Works Agency has been carrying on a program of federal advances to state and local governments to aid in the preparation of a "shelf" or reserve of completely planned public construction projects to be undertaken as soon as economic conditions warrant. This program was made possible under Title V of the War Mobilization and Reconversion Act of 1944,[6] and is intended to help stabilize the construction industry and to serve as a cushion against a possible future recession.

The program covers all state and local public construction except housing. The advances made to state and local governments are repayable to the federal government at the time the work is actually undertaken. Federal aid was essential in obtaining prompt action on planning because of the fact that states and localities frequently have no funds legally available for blue prints, specifications and similar preparatory work until bond issues have actually been floated for proposed construction projects, and such bond issues are seldom authorized very far in advance.

The total of $65,000,000 appropriated by Congress for state and local advance planning is now almost completely allocated; as of June 30, 1947, the bureau had approved planning advances totalling $61,669,000, covering state and local public works estimated to cost $2,300,000,000.

While there is at present no authority for making further advances to plan additional projects, certain congressmen as well as interested business and professional organizations and the Presidential Council of Economic Advisers are urging that further federal money be made available so that the reserve can be kept constantly replenished. At the normal rate of state and local public construction, plans equivalent

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amount to $15 per year per pupil in average daily attendance. Another significant bill is the proposed *Educational Finance Act of 1947*, S. 472, introduced by Senator Taft on January 31, 1947, to assist states and territories to support a minimum foundation education program. Appropriations would start at $150,000,000 per year and rise to $250,000,000.

[5]The "Lanham Act" program of the bureau, now in the process of liquidation, will not be discussed here. It was a wartime program under which federal funds were used to provide community facilities and services in areas where war industry had caused increased population and congestion, and localities could not be expected to assume the whole burden of added costs. See *Public Law 849*, 76th Congress, approved October 14, 1940. (54 Stat. 1125, U.S.C. 1521.)

[6]*Public Law 458*, 78th Congress; 58 Stat. 785, 791.

to a reserve of this size would be used up within one year.

Senator Green introduced a bill in the last session of Congress (S. 1423, 80th Congress, 1st session) to provide up to $50,000,000 of federal funds annually for the making of advances to stimulate planning of a reserve shelf of non-federal public works. In the House a companion bill was introduced by Representative Muhlenberg (H.R. 3490, 80th Congress, 1st session). In the summer of 1947 hearings were held on the Senate bill, but no action has yet been taken on H. R. 3490.

Disaster Surplus Property

Floods, explosions, hurricanes and other catastrophes that may paralyze local governments temporarily and thus endanger public health and safety may now be made the basis for securing certain federal assistance under the disaster surplus property program. Public Law 233, approved July 25, 1947, empowers the War Assets Administration, in the discretion of the president, to turn over to the Federal Works Agency surplus property—such as trucks, shovels, medical equipment, fire-fighting supplies—for use in alleviating damage, hardship and suffering. The FWA may transfer this property, with or without monetary consideration, to the appropriate governmental unit in the disaster area. The law has already been invoked in a number of areas notably in Texas City, in the hurricane-struck regions of the south and in the forest fire sections of New England.

Water Pollution Control

From time to time, in past sessions of Congress, bills have been introduced to use the federal grant-in-aid method of encouraging state and local action against stream pollution. Several measures were proposed in the last session to furnish federal technical services and funds for this purpose.[7]

The Senate actually passed a water pollution control bill, S. 418, introduced by Senators Barkley and Taft. On the following day, July 17, 1947, the bill was referred without amendments to the House Committee on Public Works. The measure provides that the surgeon general of the Public Health Service, acting for the Federal Security Agency, make surveys and recommendations of needed action in preventing stream pollution; the Federal Works Administrator would make loans to any state, municipality or private industrial enterprise to construct treatment works and to prepare engineering reports and plans. Loans would be limited to one-third of the estimated cost of a project. Congress would be authorized to appropriate up to $100,000,000 each year for such construction loans. An additional $5,000,000 would be made available to the Federal Security Agency for allotment to the states for preliminary studies and investigations, and $12,000,000 annually might be appropriated to the Federal Works Agency for advance plan preparation for such projects by state and local governments.

Slums and Blighted Areas

A hardy perennial in Congress in

[7] In the House H.R. 123 and 3990 were introduced by Representative Mundt; H.R. 315 by Representative Spence; H.R. 470 by Representative Elston.

recent years, which has never come into full bloom, is the proposal that federal grants and loans be made to state and local governments for the clearance of slums and blighted areas. The problem has grown steadily to greater national importance. Housing construction and repair were seriously curtailed both by the depression of the early 1930's and by the war period with its shortages of labor and materials for civilian use. Meanwhile the spreading slums and blighted areas have been a breeding place for disease, delinquency and crime, and have taken more than their share of local revenues for policing, fire protection, social services and health work without returning more than a small proportion of real estate taxes.

Representatives Dirksen and Fletcher in the first session of the 80th Congress introduced identical bills that would assign to the Federal Works Administrator the task of making federal grants and loans for slum clearance and land redevelopment. These bills, H. R. 4012 and H. R. 4144, were referred to the Committee on Banking and Currency.

Under the proposals the federal grant would be not more than half the difference between the estimated total cost of acquiring and clearing the land and the estimated sale value of the cleared land; the loan would be permitted to equal the estimated value of the cleared land. The land when cleared could be sold or transferred to an individual, partnership, cooperative corporation or to any other legal entity or public body agreeing to develop the land to its highest and best use in accordance with the redevelopment plan approved by the public agency concerned.

Veterans' Program

State and city governments with public institutions of higher education have been participating in the program of the Bureau of Community Facilities designed to implement the educational sections of the G.I. Bill of Rights. The Federal Works Administrator, acting under Public Law 697, approved August 8, 1946, can acquire without payment any surplus federal facilities (structures and equipment ranging from entire buildings down to scientific instruments, cafeteria equipment and baseball bats) determined by the War Assets Administration to be available. The Federal Works Administrator is empowered to transport these facilities to eligible educational institutions at no cost to the colleges.

Under an authorization to appropriate up to $100,000,000, an initial $75,000,000 was made available for the program and permission was also given to spend certain leftover funds previously appropriated under the Lanham Act program. These first funds could be used also to reerect structures after delivery to the colleges. A later appropriation of $3,000,000 was restricted to mere disassembling and transporting of the facilities.

The Research Division of the BCF indicates that out of $77,400,000 allotted by the end of September 1947, colleges receiving state or local support received about $45,400,000 as compared with $29,000,000 to pri-

vate colleges. The public colleges participating in the program have an enrollment of 1,400,000, and account for about half of the more than 1,500 approved projects.

More Aid for Colleges

Now that labor and materials are more plentiful, there has been a movement to extend the program to provide permanent instead of temporary facilities for the colleges affected by the still-increasing G.I. student enrollment. A nationwide survey conducted last spring by the United States Office of Education points to the desirability and need for permanent construction with federal financial aid.

The Aitken bill (S. 971) to accomplish this purpose was introduced in the first session of the 80th Congress. Hearings were held in the spring of 1947 by the Senate Committee on Labor and Public Welfare. A similar bill (H.R. 2845) was introduced in the House by Representative Rohrbough. Under these proposals the sum of $250,000,000 in federal grants-in-aid would be authorized for the purpose of providing permanent educational facilities to eligible colleges. The federal grant for each project would be limited to no more than 50 per cent of the cost of the educational facility.

WASTE IN TAXES

(Continued from page 80)

of tax coordination we are seeking is ever to be realized.

The program for national tax reform is complicated, undoubtedly, but it may be stated in simple terms. Coordination—reduction; reduction—coordination. Both can be initiated now, both should be initiated now, even though their fullest realization be impossible of immediate attainment.

How much reduction? How much coordination? As much as we can get, as quickly as we can get it. Perhaps the $6,000,000,000 reduction visualized by the Committee for Economic Development is too much to hope for now. Perhaps not. In any event, the nation's economy, as well as the rights of our individual citizens, demands prompt relief as a necessity for maintenance of American prosperity.

In being generous to the people of Europe, Congress need not be less generous in its treatment of the American people. Our economy is sufficient to provide for both. Let's keep that economy strong and stable by affording both business and individuals the tax relief necessary to inspire confidence in America's future and desire for participation to the fullest in its continuing development and expansion.

News in Review

Reorganization Under Way in New Jersey

Governor and Legislature to Implement Constitution

THE work of putting into effect the sweeping revisions of New Jersey's administrative, judicial and taxing systems, authorized and outlined in the new state constitution adopted last year,[1] is getting into full swing with the convening of the 1947 legislature—the 172nd—which began its session on January 13.

Governor Alfred E. Driscoll in a personally delivered message on that date gave the legislature his proposals on reorganization and various other state problems. A leading feature was his plan of administrative organization, reducing the number of state departments and agencies from 96 to fifteen. The constitution sets a limit of twenty. The departments as proposed by the governor are: agriculture, banking and insurance, civil service, economic development (including conservation), education, institutions, labor and industry, law and public safety, military affairs, public health, public utilities, public works, state, treasury, welfare.

He called for a complete job—"no mere pro forma reshuffling or regrouping"—with the objectives of maximum efficiency, a career public service and citizen participation. Legislative leaders have been asked to avoid haste and to provide for full discussion at hearings on the legislation involved.

The governor's program may be facilitated by a strong preponderance of his own (Republican) party in the legislature, but it is not expected to have smooth sailing as it will affect many individuals and interests.

The constitution itself prescribes the new judicial framework, topped by an appellate supreme court, members of which have already been appointed by the governor. The new supreme court is now drawing up the rules which will govern all the courts of the state. Considerable legislation is nevertheless required before the court system will be fully prepared for the transition, set for September 15, 1948.

The state tax system is also due for thorough revision, largely as a result of the new constitution. The legislators have a problem in devising a tax program to provide adequate revenues for growing requirements of the state, especially in the educational field, including state disbursements to school districts.

Local Government

Governor Driscoll devoted several paragraphs in his message to local government, urging establishment of a commission to investigate the forms now provided by law and to recommend any needed changes in local government laws. Pursuant to this recommendation a resolution to provide such a commission was introduced jointly by David Van Alstyne, majority leader of the Senate, and Edward O'Mara, minority leader.

A long legislative session is expected, extending well into the summer.

[1]See the REVIEW, October 1947, page 513.

Washington Legislative Council Held Legal

The legislative council created by the 1947 Washington state legislature

has survived a court test of its constitutionality. It was challenged by the state auditor on the score that the state constitution prohibits members of the legislature from filling a "civil office" created during the term for which they were elected. According to the Council of State Governments, this was the first such court test of legislative councils on this point. The auditor refused to honor expense vouchers for members of the council, whose chairman then applied for a writ of mandamus.

The decision, handed down in October, was in the council's favor, six to two. The court held that the statute creating the council did not impose any new office or trust upon legislative members of the council.

In Washington, as in several of the 22 states now having legislative councils or similar bodies, the council also functions as the commission on interstate cooperation.

Kentucky to Revamp Outmoded Statutes

Amendment, re-enactment or repeal of 110 statutes face the 1948 legislature in Kentucky, where the Statutes Revision Commission has found this number of laws to be in need of such action.

Some of these statutes have been held unconstitutional; others have been superseded or nullified, in effect, by later legislation. Some are duplicates, others are wartime emergency measures. Many are defective because of legislative oversight.

The statutes were thoroughly revised in 1942, but the commission has ascertained that the number of laws mentioned are now in need of attention.

California Redevelopment Agency Organized

The State Redevelopment Agency, recently authorized by the California legislature, held an organization meeting in December at which it elected L. Deming Tilton, planning consultant of San Francisco, as chairman; Paul R. Williams, Los Angeles architect, as vice chairman; and Howard W. Campen, deputy district attorney of Santa Clara County, as secretary. Other members of the agency are Howard Nichols, Bakersfield building contractor, and Festus T. McDonough, plasterers' union executive of Los Angeles. Its headquarters are in Sacramento. Applications for the position of director of redevelopment were authorized.

The agency is charged with the responsibility of stimulating planning and community redevelopment, and of inquiring into and making recommendations designed to alleviate the housing shortage in California.

Somewhat related activities are conducted by the office of the director of planning and research, which recently succeeded the California Reconstruction and Reemployment Commission.

Council-Manager Plan Developments

A council-manager charter for **Baytown, Texas,** a consolidation of Baytown, Goose Creek and Pelly, was approved 1,888 to 254 on January 24.

An election on the council-manager plan is scheduled for February 10 in **Paris, Texas.**

In his message to the legislature, Governor Bradford of Massachusetts has proposed that **Boston** be permitted to vote this year on adoption of Plan E.

Mayor Joseph B. Harrington of **Salem, Massachusetts,** first Democratic incumbent in 25 years, has recommended that the city council and the citizens investigate the manager plan in an effort to improve government.

The Chamber of Commerce of **Amsterdam, New York,** is looking to charter revision, including consideration of

the National Municipal League's *Model Charter*.

Petitions are being circulated in the borough of **Fair Lawn, New Jersey,** calling for a referendum on the council-manager plan, possibly in March or April. The plan is endorsed by Mayor H. C. Yerger, Jr.

The city charter of **Cumberland, Maryland,** is about to be revised and interest in the manager plan is being expressed.

A vote on the manager plan will be held in **Fairmont, West Virginia,** on February 3.

The manager plan is under discussion in **Bradenton, Florida.**

Enabling legislation covering the council-manager plan is expected to be introduced in the **Mississippi** legislature.

Petitions for a referendum on the manager plan are being circulated in **Green Bay, Wisconsin,** under the sponsorship of Councilman A. B. Pinkerton. Public meetings to discuss the plan have also been held.

In **Wisconsin** several cities have the council-manager plan under consideration. They include **Wausau,** where the Chamber of Commerce is studying it; **Prairie du Chien,** where the League of Women Voters conducted a pro and con discussion on January 14; also **Merrill, Watertown** and **Sparta.**

The **St. Cloud, Minnesota,** Charter Commission, which has been at work through 1947, has decided, fourteen to one, on the council-manager plan. The charter is expected to be ready for a vote early in 1948.

As a result of petitions filed by the Citizens Civic League, an election on the manager plan is to be held in **Fulton, Missouri,** in February.

Petitions containing 537 names, asking for a vote on the council-manager plan, have been filed and accepted in **Marshall, Missouri.** Only 185 names are needed. Date for the election has been set for February 3. Petitions are reported to be in circulation in **Mexico, Missouri.**

The Chamber of Commerce of **Council Bluffs, Iowa,** has instituted a campaign for adoption of the manager plan.

An active movement for the manager plan is under way in **Boone, Iowa,** with the support of the Chamber of Commerce.

In **McCook, Nebraska,** the Junior Chamber of Commerce has sponsored a movement for the manager plan which is supported by the *Daily Gazette* and endorsed by the two local political parties. In **Omaha** a committee appointed by the mayor is studying the plan. A group of voters in **Crete** is seriously considering the manager plan.

In **Colorado** the voters of **Delta** approved a charter convention proposal 748 to 399 but defeated a council-manager proposal 644 to 578. In **Greeley** the voters rejected both types of proposal; the manager plan lost by a narrow margin, 2,119 to 2,059.

In **Golden, Colorado,** graduate fellows of Denver University's Department of Government Management are conducting an administrative survey under the supervision of Professors Henry K. Stanford and Troy R. Westmeyer. Golden recently adopted the council-manager form of government and the survey, requested by the council, is to provide the first manager with data needed to fulfill the requirement that he present a plan for city reorganization within 60 days after entering office.

The Board of Freeholders of **Santa Cruz, California,** is preparing a council-manager charter and has engaged expert assistance. The present commission-form charter dates from 1911.

The city council of **Torrance, California,** has appointed a city administrator on an interim basis pending a

vote on the council-manager plan to be held at the April municipal election.

A group of four hundred citizens is preparing to launch a drive in **Portland, Oregon,** for adoption of the council-manager plan.

The **Tacoma, Washington,** *Times* has pointed out editorially various shortcomings of the existing commission form of government in comparison with the council-manager plan.

In **Ketchikan, Alaska,** petitions are being circulated calling for a referendum on the manager plan at the April municipal election.

Commission Government for New Jersey Cities Challenged

Most of the larger New Jersey cities and many smaller municipalities in that state operate under the commission plan, with varying results. Recently the New Jersey State Patrolmen's Benevolent Association, by its Board of State Delegates, adopted a resolution calling upon Governor Alfred E. Driscoll to initiate an investigation of commission government, with proposals for remedial legislation if indicated as necessary. The resolution recited that while some municipalities with the commission form of government "have found this system completely satisfactory and competent," others with that form "have provided within recent months a chaotic rule which militates against both good morale and top efficiency of both public safety and other municipal personnel."

Cleveland Redraws Ward Lines to Reflect 1940 Census

Late in 1947 the Cleveland city council adopted an ordinance establishing new boundaries for its 33 wards, based on 1940 census figures of population. It is to become effective January 1, 1949. Although passed by a vote of 32 to 1, the ordinance is the result of much controversy.

According to *Greater Cleveland,* bulletin of the Citizens League, "The new ward lines are an unmistakable improvement over the existing pattern which is a hand-me-down from the year 1918. Where ward populations ranged —according to 1940 census figures— from a low of 9,968 in downtown Ward 31 to a high of 56,410 in Ward 30 in the southeast section, the new alignment has reduced this gap to a minimum of 22,000 and a maximum of about 33,000."

The new boundaries will be in effect only the year before the taking of the 1950 census, and the question is presented as to when a new revision will be accomplished. The Citizens League calls attention to the present charter provision, adopted by the people in 1945, requiring the council to redivide the city into 33 wards immediately after official announcement of the federal census results, and suggests that some way of making this automatic be considered, together with the question of the best number of councilmen, and the possible election of some councilmen at large.

Reorganization Set Back in Green Bay, Wisconsin

A recent attempt to streamline the city government of Green Bay, Wisconsin, was defeated by one vote in the commission. Green Bay, which adopted the commission form of government in 1916, switched to the election of commissioners by wards in 1926.

The reorganization plan included a charter ordinance giving the mayor power to appoint administrative officers with the consent of the commissioners, or for the commission to assume this power if it so desired. It also provided for the office of director of finance with supervision over the existing offices of city clerk, treasurer, comptroller and assessor, and the crea-

tion of the office of director of public works with supervision over the existing offices of city engineer, street superintendent, building inspector, electrical inspector and plumbing inspector. The city comptroller would be the director of finance and the director of public works would be an engineer with certain definite professional qualifications.

Certain restrictive charter ordinances were to be repealed, including those requiring high schools of equal size on each side of the Fox River, which roughly bisects the city; selection of a street commissioner and assistant and an assessor and deputy from opposite sides of the river; maintenance of two fire houses on the west side; and selection of at least one-third of the elective city officials from the west side.

C. K. ALEXANDER
Wisconsin Taxpayers Alliance

Few Civil Service Dismissals Reversed

A detailed analysis of the dismissal practices of 112 civil service agencies —federal, state and local—recently completed by the Civil Service Assembly indicates that a very small percentage of civil service dismissals are overturned on appeal. The survey covered fourteen of the twenty statewide civil service systems and the civil service agencies of 38 major cities, 42 smaller cities and towns and seventeen counties. Information from the federal government was also included.

In the state and local jurisdictions, 5,018 civil service employees were dismissed during 1946. Although 2,568 of these could have taken their cases to civil service appeal boards, only 330 did so. Appeal boards backed up the original decisions to dismiss employees in two-thirds of the contested cases. Thus dismissals took effect in over 95 per cent of the cases open to appeal. Most cases not open to appeal were dismissals of probationary or wartime appointees.

These findings, according to the assembly, refute the claim that even when dismissal action is taken in good faith by a public official his decision is frequently reversed by a civil service board, with the result that incompetent personnel are reinstated or are not fired in the first place.

Responsibility for taking the initiative in dismissing incompetent public employees, the survey disclosed, is given to the department head or appointing authority in 101 of the systems studied. The assembly points out that when this power is used judiciously, the civil service agency almost invariably backs up the department head.

During 1946 only thirteen of the 5,018 dismissals studied were appealed for judicial review. Of these, nine were settled during the year. Seven decisions previously made by appeal boards were upheld, while two were reversed.

For the state and local agencies studied, the dismissal rate averaged 1.3 per cent in 1946. This is only slightly lower than the current discharge rate for private industry, taken as a whole, as reported by the U. S. Bureau of Labor Statistics. The dismissal rate in the federal service was 2.5 per cent in 1946, somewhat higher than that in private industry. Clearcut comparisons of dismissal rates are impossible in this regard, however, because of wide differences in labor turnover in different fields of both public and private enterprise.

Merit System Further Extended in New Jersey

There are now sixteen counties, 71 municipalities and four school districts in New Jersey under the civil service

program administered by the State Civil Service Commission. Eleven out of thirteen localities voted to come into the program at the election last November. The merit system is now on a constitutional basis in New Jersey.

Nomination Proposals for New York Judges

New York State elects its Supreme Court judges with results that vary widely in quality in the different districts. State Senator Thomas C. Desmond, with a past record of being taken seriously, has introduced in the legislature a pair of constitutional amendments to enable the voters of each judicial district to substitute one or another of seven ready-made systems of selecting judges, namely:

1. Election by electors of the district after designation by petition and nomination at a primary election. (This is the direct primary method approved by the New York State Federation of Labor and other organizations.)
2. Election by electors of the district with an opportunity for the governor to name the first candidate. (This plan has been suggested by committees of the City Club and Citizens Union, both of New York City.)
3. Appointment by the governor and confirmation by the Senate, subject to later confirmation by a majority of electors of the district. (This plan substantially is as proposed by the so-called Citizens Committee on the Courts.)
4. Appointment by the governor from a list submitted to him by a nonpartisan judicial commission, subject to confirmation by a majority of electors of the district after a short term of service. ("Missouri plan.")
5. Appointment by the governor and approval by a nonpartisan judicial commission, subject to confirmation by a majority of electors of the district. (This is the "California plan," similar to but not quite the same as the "Missouri plan.")
6. Appointment by the governor for a full term unless the Senate shall disapprove or fail to confirm such appointment. (This plan is similar to that now used in appointing federal judges.)
7. Appointment by the appellate division of a justice who has served satisfactorily as a judge of a lower court of record. (This would be a "merit system" for judges.)

RICHARD S. CHILDS

Municipal Courts Replace Michigan JP's

Several cities in Michigan have changed their charters in recent months to permit establishment of municipal courts, presided over by salaried judges, to replace fee-paid justices of the peace. The *Michigan Municipal Review* states that if such a court is operated efficiently and economically, if finances are handled properly, and if salaries of the judge and his employees are adjusted according to the revenue obtained from court activities, the taxpayers will suffer no loss. By comparison the justice of the peace system brings no revenue to the city, regardless of how much business is conducted.

If the judge is paid a salary much of the incentive to abuse the powers of the office is removed. The court becomes a part of the city government and is subject to the same controls and accountability as other municipal departments.

"Although it is not intended that cities should establish municipal courts purely from fiscal motives," says the *Review*, "records indicate that municipal courts do make money. The com-

(Continued on page 112)

Researcher's Digest . . . . . *Edited by John E. Bebout*

Budget Time Dictates Bureau Report Topics

Appropriations and Taxes Continue their Upward Trend

AN **$800,000,000** estimated possible total for New York State's next budget far exceeds the highest amount of revenue the state has ever collected in a single year ($687,000,000 in 1946), according to the **New York State Citizens Public Expenditure Survey** in its *New York State Taxpayer.* The increased cost of relief is a major cause of the record estimate.

The total amount budgeted for local governments in New Mexico has increased 109 per cent since 1940-41. Schools account for the largest amount of this increase, points out the **Taxpayers' Association of New Mexico,** Robert F. Asplund, director, in the *New Mexico Tax Bulletin.*

Jasper County (Mo.) Tax Economy Association, Gerald N. Hardy, secretary, has submitted its *Citizens' Recommendations on the Proposed 1948 Jasper County Budget* to the public budget hearing. The association makes a number of general recommendations and commends the county for the extensive breakdown of expenditure items in the proposed budget.

Estimated 1948 receipts in Philadelphia are the largest in the city's history, says the **Philadelphia Bureau of Municipal Research,** Robert K. Sawyer, director, in an issue of *Citizens' Business.* A detailed table compares 1948 estimates of receipts with 1947 estimates and with the 1946 receipts.

The 1948 Erie County budget and the statements of policy connected with it are summarized in *Just a Moment,* **Buffalo Municipal Research Bureau,** Sidney Detmers, director.

The 1948 city budget of Lackawanna, New York, shows a decrease of about $120,000 from the 1947 figure. This is accounted for principally by the transfer of health and the library to Erie County, says *Comments,* published by the **Lackawanna Tax Research Bureau.**

According to the **Commission on Governmental Efficiency and Economy of Baltimore,** D. Benton Biser, director, the city's 1948 budget proposal should be reduced. Two issues of *Your Tax Dollar* outline the sources of revenue for the proposed budget and summarize recommendations for a drastic decrease in the Bureau of Highways budget.

The **Chicago Civic Federation,** Harland C. Stockwell, executive secretary, has issued five bulletins containing statements made by members of the federation at the public budget hearings of the city of Chicago, the Sanitary District of Chicago, the Chicago Park District, Board of Cook County Commissioners, and the Chicago Board of Education.

The new Wayne County, Michigan, budget of **$35,800,000** exceeds last year's by almost 11 per cent, points out the **Detroit Bureau of Governmental Research,** Loren B. Miller, director, in *Bureau Notes.* The county budgets for 1947 and 1948 are summarized.

The **Missouri Public Expenditure Survey,** Edward Staples, executive director, has released its fourth annual compilation of budgets of Missouri's 109 rural counties, under the title *Toward Better County Government.* It is concluded that "the data in the tabulation present many illustrations of the continuing need for more careful

study by officials and citizens in the preparation of budgets."

The **Providence Governmental Research Bureau,** Robert E. Pickup, executive director, compares in a recent bulletin the city's 1945-6 and 1946-7 receipts and expenditures with estimated receipts and actual appropriations for 1947-8. The two tables are quite detailed.

The **Bureau of Public Administration of Boston University,** Don B. Leiffer, director, in cooperation with the **Massachusetts Association of Town Finance Committees,** has developed and published two charts entitled "1946 Charges Against Revenue—Departmental Maintenance Expenditures" and "1947 Appropriations for Departmental Maintenance." Each chart gives tax rates, total appropriations for departmental maintenance and percentages by functions for 76 Massachusetts towns divided into three population groups. Average figures for each group and for all towns are given.

Taxes Going Up

The statewide average increase in Indiana property taxes for 1948 is more than 20 per cent over 1947. A press release from the **Indiana Taxpayers Association,** Walter T. Horn, executive secretary, points this out and also presents two tables showing, by counties, Indiana property tax levies as advertised and as finally fixed in 1947 and a comparison of the state's actual property taxes in 1947 with estimated 1948 figures.

Des Moines property tax rates for 1948 have been increased since 1947 by over 11 per cent, according to the **Des Moines Bureau of Municipal Research,** Glenn N. Hoffman, secretary.

The 1947 tax rates of all Missouri municipalities are listed in *Your Tax Money* of the **Missouri Public Expenditure Survey.**

Wisconsin county tax levies for 1948 have risen more than 14 per cent over those for 1947, according to the **Wisconsin Citizens Public Expenditure Survey,** in *Wisconsin Tax News,* Glen W. McGrath, editor. A table showing the new tax levies is included.

Montana's public school system has been given an increased revenue this year of about $22,000,000—$5,000,000 more than last year. Higher salaries for teachers and other school personnel account for a major portion of the increase, points out the *Montana Taxpayer,* published by the **Montana Taxpayers' Association,** R. A. Neill, executive secretary.

Improving Tax Administration

One issue of the *Wisconsin Taxpayer,* organ of the **Wisconsin Taxpayers Alliance,** Paul N. Reynolds, executive director, is devoted to assessments—variations in property assessment practices, methods available for their improvement, and aroused interest in assessment procedures.

"Fiscal Relations in a Working Federalism" is the title of an article by Governor Alfred E. Driscoll of New Jersey published by the **Tax Foundation** in *The Tax Review.* Governor Driscoll makes five general recommendations: that Congress support vigorous and responsible state government, that a joint federal-state program to eliminate duplicating structures be encouraged, that unnecessary costs be reduced whenever possible, that adequate standards of service responsibility to meet local needs be developed, and that tax structures be adjusted so as to assure a fair and equal application of existing taxes.

State Government and State Resources

Pennsylvania Handbook of State Government, "A Ready Reference for the Businessman," has been issued by the **Pennsylvania State Chamber of Com-**

merce, Leonard P. Fox, general secretary. The main purpose of the handbook is to set forth the specific ways in which business operations in Pennsylvania are affected by the state government and to indicate the agency or bureau which has jurisdiction in each case. The material is listed alphabetically by subject and cross-referenced.

Legislative councils, legislative reference services and bill-drafting agencies in the various states which have them are described in *Aids for State Legislators,* by Christian L. Larsen and Miles F. Ryan, Jr., issued by the **Bureau of Public Administration of the University of South Carolina,** George R. Sherrill, director.

The public administration of natural resources in Alabama is comprehensively treated in *Alabama's Heritage,* by Joseph M. Ray of the University of Maryland and Lillian Worley of the University of Alabama. The 186-page report is published under the auspices of the **Bureau of Public Administration of the University of Alabama,** Roscoe C. Martin, director. The authors discuss the subject from all angles, concluding that "resources administration in Alabama is in no sense mature."

"Existing Facilities for Health Care in Tennessee" is the title of an article by Margaret Pouder in a recent issue of *The Tennessee Planner,* published by the **Tennessee State Planning Commission.** This is a report on hospital facilities, health department facilities and services and related resources in the state, undertaken in order to find out just what is needed to bring health care in general up to a minimum standard.

Old Age Assistance

Utah old-age recipients are now required to give a lien on their property over $1,200 in value. Other important changes made in Utah public welfare administration by a 1947 law are summarized in a *Research Report* from the **Utah Foundation,** Stanley J. Stephenson, managing director.

Passage of a lien and recovery law in Missouri is advocated by the **Missouri Public Expenditure Survey,** which points out in two recent pamphlets that such a law in Indiana has caused 10 per cent to leave that state's old-age assistance rolls while Missouri has been forced to cut 10 per cent off every recipient's check because of the large number of people receiving assistance.

The history of the old-age pension in Colorado is summarized in the *Colorado Taxpayer,* published by the **Colorado Public Expenditure Council,** Fred Bennion, executive director.

"Public Relief Since 1933; California Law Summarized" is an article by Harry V. Cheshire of the **California Taxpayers' Association** in that bureau's *Tax Digest,* Jessie K. Grant, director.

Special Attention Local Planners

The **Bureau of Urban Research of Princeton University** is sponsoring a series of lectures to be held in March in the auditorium of the Frick Chemical Laboratory at Princeton. The series, concerning the causes and consequences of metropolitan decentralization, is as follows: "The Changing Population Pattern of the Modern City," Philip M. Hauser (Tuesday, March 2, 7:45 P.M.); "Time, Space and the City's Physical Readjustment," Henry S. Churchill (Thursday, March 4, 4 P.M.); "The Economic Theory of Urban Expansion," Homer Hoyt (Monday, March 8, 4 P.M.); "Governmental Problems of Urban Decentralization," Joseph D. McGoldrick, (Wednesday March 10, 7:45 P.M.); and "The Defense of Cities in Aerial Warfare," Ansley J. Coale (Thursday, March 11, 7:45 P.M.).

"Developing a Plan for Planning" is the title of a recent supplement to *The*

Borough Bulletin which summarizes a report of the **Institute of Local and State Government of the University of Pennsylvania,** Stephen B. Sweeney, director, on planning procedures for the borough of West Chester.

Local Planning in Tennessee is reported in detail in a 61-page booklet put out by the **Tennessee State Planning Commission.** Local planning programs in all sections of the state are described, with numerous maps and charts; a list of local planning commissions in Tennessee is included.

Metropolitan area problems are considered in three recent issues of *Citizens' Business,* bulletin of the **Philadelphia Bureau of Municipal Research.** The bureau has also published a report entitled *Financial Picture of an Improvable Area,* a study of nineteen blocks in the city which had been selected for close examination by the Philadelphia Redevelopment Authority. The purpose was to estimate the city and school district revenues and expenditures of this area in 1946 "deemed ripe for redevelopment." Many tables are included.

The Municipal Airport Problem in St. Louis is considered in a report to the mayor from the **St. Louis Governmental Research Institute,** Victor D. Brannon, director. The institute recommends that the city turn over its airports to a metropolitan authority, which would have complete independence in operating them.

The **Bureau of Public Administration of the University of Alabama** has issued a 61-page report on *Cities and Riverfront Lands,* by York Willbern, assistant director of the bureau. The study is a general one—though many of the examples used have been taken from experiences in Alabama, Kentucky and Tennessee—and covers cities and rivers, uses of riverfront land, riverfront development and administrative machinery. In an appendix the author discusses the legality of municipal riverfront development programs in Alabama.

Street Trees for Cities is the title of an attractively planned report on planting in city streets by the **Bureau of Municipal Research and Service of the University of Oregon,** Herman Kehrli, director, in cooperation with the **League of Oregon Cities.** There are several photographs and many diagrams, a suggested street tree ordinance, and a table summarizing the advantages and disadvantages of the different kinds of trees which can be used. The report is priced at one dollar.

The Scope and Effect of Bureau Activities

The **Taxpayers' Federation of Illinois,** George E. Mahin, executive secretary, has begun work on the first of a series of intensive and detailed studies of county government administration. It is now under way in McLean County at Bloomington, the county seat.

The **Public Administration Service** of Chicago, Herbert Emmerich, director, has published *Current Research Projects in Public Administration.* The projects are listed according to the general fields which they concern and are those initiated or under way in 1947.

The **Bureau of Governmental Research and Services,** Donald H. Webster, director, in cooperation with the **Division of Adult Education and Extension Services,** both parts of the University of the State of Washington, has issued three reports comprising proceedings of various sections at the university's Twelfth Annual Institute of Government. *Election Problems and Voter Participation* includes a number of tables and graphs. The other two are *Library Service to Business and Government* and *Current Trends in Safety.*

Two divisions of the **Pennsylvania Economy League** have issued reports on their current activities and future objectives. The State Division devotes an issue of *State-Local Government Topics* to a summary of its activities. The Western Division, Leslie J. Reese, director, reports on its long-term objectives in an issue of its *Newsletter*.

All local government officials in **Jasper County, Missouri,** have been invited by that county's **Tax Economy Association** to use its public administration reference library.

The *New York World-Telegram* has run a series of articles by Roger Stuart on inefficient welfare administration in Baltimore, using facts uncovered there by the **Baltimore Commission on Governmental Efficiency and Economy.**

Critical Appraisals

A Critical Appraisal of University Bureaus of Public Administration (55 pages) has been published by the **Bureau of Public Administration of the University of Virginia,** Rowland Egger, director. The pamphlet is a symposium of six papers presented at a section meeting of the **American Political Science Association** in December 1946. As Dr. Egger says in the foreword, the contributors "were drawn from walks of life quite independent of the university bureaus. They are, moreover, of sufficient professional stature to be somewhat less than profoundly impressed by the pretentions of the bureaus or their 'high command.'"

Public administration bureaus are appraised as to their research product, their service activities and their educational activities; also from the standpoints of an operating agency (TVA), a professional association of public officials (International City Managers' Association) and a private management consultant (J. L. Jacobs and Company).

"I hope that you, in research, will approach newspapers with patience and understanding; that you will side with us in our efforts to pry open all government sessions that are held behind locked doors; that you will fight with us against the suppression of any public information, and that—at a time when great forces seek to undermine newspapers—you will lend your efforts to protect and safeguard freedom of the press," said Oxie Reichler, editor of the *Yonkers Herald Statesman* in an address at the annual conference of the **Governmental Research Association,** G. Gordon Tegnell, secretary, held last October.

Mr. Reichler's address, entitled "The Press and Citizen Research," is reprinted in the December number of *Notes and References,* the bulletin of the association. It is also summarized, with extensive quotations, in the November issue of the *New York State Taxpayer,* of the **New York State Citizens Public Expenditure Survey.**

The Yonkers editor wrote to a number of editors in other cities asking them whether the material submitted to them by research bureaus was used or thrown away. He found that a majority of the editors regarded the activities of the municipal research bureaus as very valuable. But, said Mr. Reichler, "you must not mind if the newspaper strives to be lively and interesting with your material."

He lists several things which bureaus should do to improve their relations with editors and the acceptability of their material, concluding, "Years ago I developed boundless admiration for governmental research. I know the vast effort which goes into even a brief compilation. But I also know the inspiration that can flow therefrom, provided popular acceptance is gained."

Civic Groups Plan for 1948

Boston, New York, Others Announce Their Programs

THE **Plan E for Boston Committee** has announced its reorganization and plans for a mass campaign to secure an opportunity for Boston voters to decide whether they desire Plan E—council-manager with proportional representation—as the system of government for their city. Francis X. Ahearn, new chairman of the committee, has announced a ward, precinct and block campaign and invites the cooperation of other interested groups.

"This [adoption of Plan E] is a privilege given to all the other 38 cities in the commonwealth," Mr. Ahearn said, "but denied to Boston by the legislature. We plan to enlist large numbers of voters who will tell the governor and general court they want a chance to express their opinion on the matter by ballot."

He pointed out that Cambridge and Lowell have found the plan successful and that the voters of Revere, Medford, Worcester and Quincy recently adopted it.

"Back up Ahearn!" headlines the Boston *Herald,* in an editorial on the city's situation. "The men who want to retain the political and corrupt advantages of the present charter are thoroughly well organized. They know how to fight, fairly and otherwise. They have a potent voice in the legislature, where the decision will be made on whether Boston shall have the right to choose its own government. That plainly means that the unorganized citizens who want a city manager form of government must make their numbers felt. And they can make their numbers felt best by backing up the Plan E Committee and its new chairman, Francis X. Ahearn."

The **Citizens Union of the City of New York,** George H. Hallett, Jr., executive secretary, has announced its "State Legislative Program for 1948" in a ten-page mimeographed statement. Among the measures to which it will lend its active support are bills on city and state financial problems, housing, improvements in legisiative procedure, compulsory annual automobile inspection, election reforms including extension of absentee voting privileges and permanent personal registration, selection and number of judges, constitutional initiative, reapportionment, implementing county reform, etc., etc. —more than enough to keep this 50-year-old organization out of mischief for a long time to come.

"To keep step with the increase in citizen interest in public personnel problems and to be able to render more effective service to public administrators," the **Citizens Civil Service Association of Illinois,** Harry W. Knight, president, announces its complete reorganization and modernization "to render more and better service during these postwar years," to quote its *Public Personnel Notes.*

Activities of the association will be confined to the five major units: the state of Illinois, city of Chicago, Cook County, Chicago Sanitary District and Chicago Park District. Major attention will be devoted to the state and city.

The association's citizen education program will foster "greater public knowledge of the principles, practices

and problems of our public personnel agencies through this newsletter, talks by members of a speakers' bureau and special conferences and reports."

The association announces that the pre-war Illinois Volunteer Monitoring Program, initiated by the Illinois Civil Service Commission at its suggestion, is being reorganized. More than 150 volunteers have responded to a recent appeal.

"Where Do We Go From Here?" asks the Municipal Committee of the **Albany (New York) City Club.** The report of its chairman, Miss Audrey Margolis, appears in *The City Club Chronicle* for December. The committee is looking forward to its 1949 Citizens' Platform—issued every four years when local elections occur—and presented in the mayoralty election to candidates of all parties as well as to the public. Subcommittees are now at work analyzing planks of the 1945 program to determine what progress has been made, where revision is necessary, and what further recommendations must be added.

A library of books pertinent to the work of the Municipal Committee is maintained at club headquarters and is available to those interested, and Miss May Greenman, a committee member, is preparing field trips for those subcommittees interested.

This year, under the auspices of the club's Finance Committee, a course on public finance, conducted by Beulah Bailey Thull, will be offered to members.

The **New Jersey Taxpayers Association,** A. R. Everson, executive vice president, has issued a twelve-page *Proposed 1948 Platform and Program.* Discussion covers costs and financing of federal, state and local governments as well as schools.

The *First Annual Report* of the **McMinn County (Tennessee) Good Government League,** L. H. Dooley, president, covers its history, purposes, accomplishments and its future program. The league is "an organization of vigilant citizens hoping to accomplish collectively what each could not successfully do alone." It conducts quarterly meetings at the court house to "transact league business and provide a forum for the discussion of public questions."

The league is making a study of the assessment and equalization of property taxes to recommend needed reforms to the county council. It contributes a column, "Looking Forward," to the *Daily Post-Athenian* which is "devoted to keeping the public informed regarding the county government with comments designed to foster a wholesome attitude toward the responsibilities of citizenship"; and it is preparing a factual report on the operations of county government during the past year. The league has under consideration the issuance of a monthly or quarterly bulletin to keep its membership abreast of its activities and problems.

"A civic challenge awaits us in the new year," says the *News Letter* of the **Fort Wayne, Indiana, Civic Association,** Lee J. Ninde, editor. Thirty projects, listed on a sheet sent to members, call for "attention, thought, discussion and action." Among the major 1948 problems of the city are a master plan, traffic congestion, parking, blighted areas, smoke abatement, housing, recreation needs, etc. Members are asked to check the five they feel most important. "The challenge of the new year demands the attention of every citizen," comments the *News Letter.* "Fort Wayne will become just what its citizens make it."

Valhalla, an unincorporated hamlet near White Plains, New York, has a **Community Council,** Gilbert J. Nelli-

gan, chairman, which is getting things done. The council is an unofficial organization composed of representatives of all local groups—property owners, church societies, political parties, youth groups, American Legion, service clubs, some twenty in all. Its planning committee is in process of organization and will make recommendations to the town board of Mount Pleasant in which Valhalla is situated; town and county officials have already carried out many suggestions made by the group's traffic committee.

Youth Has Its Day

Aprii 15 is the date set for Kansas City's (Missouri) fourth annual High School Day in city hall. The **Junior Chamber of Commerce,** in cooperation with school and city officials, is handling arrangements. Fourteen schools, representing over 16,000 pupils, have submitted the names of nominees for elective officials from among the pupils. Final elections will be held February 19. The pattern of Kansas City's council-manager government is being followed in the setup of student elective and appointive officials, who will spend most of the day with their "opposite numbers" in the city hall and other city offices and institutions.

The **Kansas City Community Service Division** announces that another "Junior City" has been organized at one of the city's schools.

Massachusetts' Good Government Day,[1] in which high schools all over the state participate, was held January 9. High school pupils selected members of a student senate and house of representatives which sat at the State House in Boston operating a legislative business day. "The plan has inherently interesting possibilities for effective educational outcomes," said Dr. John P. Tilton, chairman of the **Massachusetts Civic League's** Education Committee, which sponsors the day. "The direction of young people's interests towards state affairs, the preliminary elections, campaigns, discussions of current legislation, and the subsequent reports to their constituents, all contain educational values of considerable worth."

The **Students' Committee on State Affairs,** a subcommittee of the Massachusetts Civic League's Education Committee, held its organization meeting for the 1947-48 season in November. Student delegates from 24 of the 29 schools registered attended the session at Old South Meeting House, where Miss Miriam Butler, executive secretary of the league, discussed the purposes of the organization. Geoffrey Paul of Boston Latin School was elected chairman of the group, and Richard McGowan of Shrewsbury High School was elected secretary.

* * *

Town Criers at Work

Members of the Town Criers Committee, the **Municipal League of Seattle's** "stable" of speakers, hold themselves in constant readiness to accept engagements with community and service clubs throughout the Seattle area. They are well prepared to give talks on five subjects important to the community: City Planning for Seattle, Will King County Get Home Rule?, Seattle's Police Problem, How Good Is Your City?, and What Makes the Municipal League Tick? Town criers hold bi-weekly luncheon meetings reported as "lots of fun." Members try out their speeches on the rest who criticize for delivery, organization, etc. At such meetings participants relate their speaking experience "on the firing line" for the benefit of all.

The league plans a half dozen forums

[1] See the REVIEW, September 1947, page 60.

this season, reports C. A. Crosser, its executive secretary. Last winter's forums were reported as very successful and were broadcast—either live or transcription—over local radio stations.

* * *

'Qualifying Candidates'

The **Cleveland Citizens League,** Guy C. Larcom, Jr., director, reviews its methods of qualifying candidates for public office and appraises the results in its publication, *Greater Cleveland.* The league points out that in last year's election over 76 per cent of winning candidates had league endorsement. The league's best score "was made in the selection of candidates for council, 21 of the 33 elected having had a 'preferred' and two more a 'well qualified' rating."

The league distributed 35,000 copies of its *Voters Directory* in 1947. In addition, league endorsements are given full coverage in the newspapers. Just how extensive its influence may be is difficult to estimate, says the bulletin. Comments received by the league "from candidates, partisans and the general public suggest that although in some contests league opinion may not be a strong factor, in many it is important both to the candidate and the electorate and is therefore a real force; that, finally, in cases where the race is close, the endorsement may well mean the difference between victory and defeat."

The league has been investigating candidates for local office since 1897 when as the Municipal Association of Cleveland it issued its first election bulletin.

At its recent annual meeting, the Cleveland league made civic awards to three local public officials for "distinguished service": Ernest J. Bohn, a leader in the housing and planning fields, "for his exceptionally able representation in the city council and the state legislature"; Norma F. Wulff, "for her unselfish and unsparing devotion to the best ideals of public education and for her significant contribution to the advancement of the Cleveland public school system"; and Daniel E. Morgan, "for his distinguished performance over a period of many years as legislator, administrator, political leader and judge."

* * *

Community Council News

The **University of Michigan's School of Education and the Extension Service** has revived its *Michigan Community News Letter,* distributed "in the interest of community adult education." A number of issues of the *News Letter* appeared during 1939-1941 but it was discontinued during the war. This first issue gives news on the organization of youth or teenage centers and other recreational activities for young people, activities of community councils throughout the state, and adult education.

The Community Forum, published by the **New York State Citizens Council,** Frederick T. Rope, executive director, reports on regional conferences held at Schenectady, Utica, Buffalo, and Johnson City. Other conferences are scheduled for Syracuse and White Plains. The institute is now planning its fourth annual institute on community leadership.

* * *

New Publications

The **New Jersey Education Association** has issued *Local Government—How Does It Work?,* by James E. Downes of the Newark State Teachers College, for use in adult discussion groups. Points covered by the leaflet include the importance of local government and of politics, the role of parties in local government, who runs the local government, the citizen and his local government, and the prepared-

ness of young people to assume civic responsibility. A bibliography lists numerous books and pamphlets on government and citizen participation.

* * *

Constitution Contest

The **Seattle Bar Association** and the *Seattle Post-Intelligencer* have sponsored jointly a "Constitution Day Essay Contest," reports the *Seattle Municipal News,* Paul W. Seibert, editor. Any resident of King County (Seattle) was eligible to submit an entry on "The Importance of the Constitution Today." First prize is $500, second prize $50 and third prize $25.

* * *

Civic Groups in the News

Public Personnel Review, quarterly journal of the **Civil Service Assembly of the United States and Canada,** James M. Mitchell, editor, published an article in its October issue on **The Connecticut Merit System Association.** Author of the story is Aileen Roberts, the association's executive secretary. "There is perhaps no more important phase of government in which citizen interest and support is essential than in the merit system," says Miss Roberts. She gives a short historical account of the organization, lists its objectives and methods of work, together with plans for the future.

Work of the **San Diego Taxpayers' Association,** John F. Borchers, manager, is described in an article by Mr. Borchers appearing in *The Tax Digest* (**California Taxpayers' Association**) for October. "Not only have more projects been undertaken than in the preceding fiscal year," reports the article in referring to the "step-up" of organizational activities, "but more careful analysis and consideration have been given to each of the projects undertaken."

One month previously, *The Tax Digest* published a summary of recommendations of the *Administrative and Financial Survey of Alameda County Government,* made by the **Alameda County Taxpayers' Association,** Will C. James, president, and G. C. Morris, secretary and executive director.

Work of the **Massachusetts Civic League** was described by its president, Richard S. Bowers, in a recent radio broadcast. Text of the address is reproduced in the *Lens,* publication of the league.

* * *

Local Projects Win Acclaim

The **Business and Professional Women's Club of Little Rock, Arkansas,** has won first piece in the public affairs project competition set up by the Public Affairs Committee, Gladys F. Gove, director, of the **National Federation of Business and Professional Women.** The group conducted an open forum called "Little Rock's Town Meeting." In planning the project, under the guidance of Mary Cannon, chairman of the committee in charge, the club enlisted the active participation of many cooperating civic groups. It "won an enviable place in the community through its initiative in making possible the discussion of urgent public questions." The project is described in a recent issue of the *Independent Woman,* publication of the national federation.

Two clubs tied for second place. The group in **Corbin, Kentucky,** sponsored a city-wide campaign for rodent extermination resulting in an annual saving to the community of over $20,000. The **Wheeling** club, cooperating with another group, formed the **Wheeling Civic Club Association** which has acted as a central committee to back a five-year seven-point program for local improvement, working with the board of trade, planning commission, city council, state road commission and federal government agencies.

Proportional Representation . . *Edited by George H. Hallett, Jr. and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

Yonkers Fusion Regime Continues

Lowell Council and School Elections

OFFICIAL election figures show that in Yonkers, New York, when people go to the polls to choose a common council by paper ballots under proportional representation, and also to elect other candidates by voting machine on the same visit, they use P. R. with greater care and effectiveness—and with far fewer blank and void ballots—than when they are pulling down the voting machine levers.

The statistics, just issued by the Westchester County Board of Elections, show that while 54,633 valid ballots were cast for common council under P. R., only 52,508 valid ballots were cast at the same election for Supreme Court justice on the machine, only 52,716 valid ballots for Children's Court judge, and only 50,753 for county sheriff.

While the official P. R. total of "blank and void" ballots aggregated 4.56 per cent (3.24 per cent invalid), the official "blank and void" total for Children's Court judge was 7.7 per cent, for Supreme Court justice it was 8.1 per cent, and for county sheriff it was 11.1 per cent. For other candidates and for propositions and amendments to the constitution, the "blank and void" totals were even greater.

Because more than 50,000 valid P. R. ballots were cast, Yonkers' common council today numbers seven members—two more than in any of the eight years the city has been operating under a council-manager charter.

The new council—chosen from among a field of twenty—comprises six men and a woman. Three were endorsed by the Democratic party, three by the Republican party and an independent, Mrs. Edith P. Welty, is now serving her fifth consecutive two-year term.

Mrs. Welty had been endorsed by the Republicans for the first time two years ago—on a so-called "fusion" slate—but last autumn the G.O.P. deliberately withheld its endorsement. Nevertheless, she ran much stronger, with the backing of both the new Yonkers Municipal League and the old (and now dissolved) City Manager League, than two years ago.

All three of the Republican-endorsed victors had Municipal League backing. Two of them also had Manager League support. A so-called "practical fusion" campaign was carried on under Municipal League auspices, which included these three together with Mrs. Welty and an independent Democrat, J. Thomas Murty, former city welfare commissioner and an ardent managerite.

Topping the victorious councilmen was Curtiss E. Frank, attorney, who continues as mayor; and with him are serving, besides Mrs. Welty, who came in next: John C. Couzens and Andrew R. Maffei, attorneys; John J. Whalen, undertaker, who was reelected and now becomes vice mayor; Emmett Burke, high school teacher and owner of a business service, and Dr. Benjamin F. Barnes, reelected councilman and former mayor.

The last three had Democratic party endorsement. Dr. Barnes was elected in 1941 with Manager League endorsement, but he repudiated that group after election and joined the Demo-

cratic minority to make it a majority and himself mayor.[1]

He was defeated for reelection, but he got back into office on a recount of P. R. ballots to fill a vacancy last summer, when Vice Mayor James A. Sullivan suddenly resigned while under investigation in connection with major gambling scandals in a city-owned labor temple. Mr. Sullivan is currently under indictment on charges of forgery.

Since Mr. Couzens and Mr. Maffei were elected in a campaign during which they and other Republican-endorsed candidates hailed Mayor Frank as their "standard bearer," and since Mrs. Welty continues in close sympathy with Mr. Frank, there is confidence that these four will comprise a working majority. There was also a possibility that Dr. Barnes—nettled at grudging support from the Democrats in his reelection campaign—might throw in his lot with the majority, bolstering it further.

Because of a special charter provision, a second count of P. R. ballots took place at the end of the council election for the purpose of electing a mayor and vice mayor. All ballots were recounted in the same manner as in the original count except that the candidates in the new election were confined to the seven candidates just elected as councilmen. When all the ballots were sorted the candidate with fewest ballots was defeated and his ballots transferred to remaining candidates in accordance with the choices marked, and so on, until only two were in the race. Thereupon the one with the most votes, Mayor Frank, was declared reelected mayor, and Mr. Whalen, runner-up, became vice mayor.[2]

Because of the special mayoral recount, information not usually discernible in a P. R. election became evident. For instance, when the reassortment had been made to the seven winners, only 1,576 of the ballots had been "exhausted." That meant that 97.2 per cent—or all but 2.8 per cent of the valid ballots cast—had shown a choice for at least one of the councilmen elected. This is believed to represent a degree of effective democratic voting—with maximum representation on the council—without precedent in any local election.

The counting of votes was conducted under the general supervision of George H. Hallett, Jr., as consultant. It began at 9 A.M. on November 5 and was concluded at 4:30 A.M. on November 9.

OXIE REICHLER, *Editor*
Yonkers *Herald Statesman*

Lowell Holds Third P. R. Election

As in the two previous P. R. elections under the Plan E city government in Lowell, Massachusetts, a council composed of five Republicans and four Democrats resulted from the P. R. election of November 4, 1947, in that city. That it was not a matter of strict party voting, however, is indicated by the results of the concurrently held school committee election, also by proportional representation, which elected four Democrats and two Republicans. Under the Plan E charter, the councilor who is elected mayor will serve *ex officio* on the school committee.

Six incumbent councilors were re-

[1]The mayor, who is president of the council and not an administrator under the council-manager charter, was formerly selected by the council. After Dr. Barnes' deal for the mayoralty the charter was changed to provide for popular election of the mayor and vice mayor by a review of the council ballots as explained below.—EDITOR.

[2]This procedure, regularly and by design, gives the vice mayoralty to the most popular representative of the minority.—EDITOR.

elected to office, including Mayor Leo A. Roy and former Mayor Woodbury F. Howard. The other three seats did not involve any great change in the political complexion of the council. In place of Councilor J. Russell Scott, who did not seek reelection, School Committeeman John Janas, from the same section of town, was elected.

The two councilors defeated for reelection were each replaced by a man of the same party. Councilor Francis P. McMahon was replaced by Democratic former Mayor John J. Bruin, who led the poll and, along with Mayor Roy, exceeded the quota on the first count. Surplus votes from Mayor Roy gave School Committeeman George A. Ayotte a comfortable lead over Councilor J. Elzear Dionne to win him the latter's seat. Ayotte and Dionne enjoyed support from much the same sections and groups and it was apparently the relative personal preference that was decisive.

The last few transfers of ballots involved a three-way contest between Democratic candidates for the ninth council seat. The two losers in this contest subsequently obtained a recount, but the results were not materially altered upon re-examination. The transfers from the lowest-standing of the three were decisive in reelecting Councilor Bartholomew J. Callery, Jr., over George C. Eliades, who had stood fourth on first choices alone.

P. R. has been useful in Lowell in according appropriate representation to the factions within the major parties, for decisions of the council often cut across party lines. Thus Mayor Roy was chosen by the council two years ago with both Democratic and Republican support.

The school committee election, like that for the council, involved a close contest for the last seat. The eventual winner of that position came up from behind his chief rival to pass him on one of the later transfers of ballots, and the issue between them was in doubt until all the other candidates had been elected or eliminated.

An outstanding feature of the latest P. R. elections in Lowell was the excellent coverage given by the *Lowell Sun*. Full tabulations of all transfers of ballots were given as the count proceeded, together with an intelligent account of the significance of the principal election results. The reporting was accompanied by excellent illustrations,

Howard Replies to Critics

City Councilor and former Mayor Woodbury F. Howard recently took the Lowell Taxpayers Association to task for published adverse comments on proportional representation. Taking up the specific allegations of the group, Councilor Howard answered (as reported in the *Lowell Sun* of December 1, 1947):

"1. *Is P. R. (proportional representation) 'extremely unpopular'?* . . .

"The real answer is that P. R. is 'extremely unpopular' with machine and party politicians because they can no longer control the outcome of our elections.

"2. *Is P. R. 'cumbersome'?*

"There may be some justification in this statement, but only in relation to the slap-dash methods by which we used to select our officials.

"Remember, P. R. is a procedure of voting and counting which guarantees that the city council will honestly and accurately reflect the various political opinions held by all our people. It is the only known system of voting in which it is possible to guarantee majority rule and minority representation.

"3. *Is P. R. 'long-drawn out'?*

"Again this is a comparison with our former slap-dash methods of voting and counting votes.

"But isn't it better to take a little longer at a little more expense to count

the votes (a) accurately, (b) in the open, and (c) in one place where all the candidates and the public may be present to watch the proceedings? ...

"4. *Is P.R. a 'needless drain on the city's finances'?*

"In four years, Plan E (and P.R. is an integral part of it) has, among other things, kept our tax rate at a level which is $12.40 per thousand better than the average tax rate for the 351 cities and towns in the commonwealth. . . .

"Remember again, that P.R. eliminates the 'needless drain' of a primary and recounts in connection with it. Everything is accomplished in one election."

P. R. Effective

Councilor Howard alluded to the recent election to show the effectiveness of P.R.:

"A clear majority of the voters indicated that they wanted Councilors-Elect Bruin, Geary, Hockmeyer, Howard and Janas to be members of the city council. And yet on past political records, neither Bruin nor Geary, as enrolled Democrats, would have been elected as representatives of Ward 8 and Ward 7 in which they happen to live. The same comments apply to Hockmeyer and Howard, enrolled Republicans from Ward 1, and to Janas, enrolled Republican from Ward 9. The abolition of ward representation under P.R. has come nearer to meeting the real wishes of a majority of our citizens."

In closing Councilor Howard attacked the assertion that P.R. promotes racial voting:

"It is probably nearer to the truth to say that those who make that charge are probably the ones most guilty of it.

"There has always been a certain amount of racial voting, just as there has always been party voting, neighborhood voting, fraternal voting, sympathy voting and other really extraneous considerations. But any person who has watched the transfers of ballots under P.R. can see for himself that P.R. has done more to break down these prejudices than any other form of voting."

P. R. League Meets in Nashville

The annual meeting of the Proportional Representation League was held in conjunction with the National Conference on Government of the National Municipal League in Nashville, Tennessee, the morning of Friday, November 14, at the Hotel Hermitage. Present were some 25 League members and friends. Richard S. Childs, a member of the League's Board of Trustees, presided.

The following trustees were nominated and unanimously elected: Albert D. Cash, Cincinnati; Richard S. Childs, New York City; Paul H. Douglas, Chicago; C. G. Hoag, Haverford, Pennsylvania; J. Henry Scattergood, Villa Nova, Pennsylvania; and Thomas Raeburn White, Philadelphia. Mr. Cash, who has since been elected mayor of Cincinnati by that city's council, took the place on the board made vacant by the death of Dr. A. R. Hatton, the League's president, over a year ago.

George H. Hallett, Jr., secretary of the P.R. League and of the New York Citizens Union, reported on the year's developments including the abandonment of P.R. in New York. Forest Frank, executive director of the Cincinnati City Charter Committee, described the successful campaign of his organization in bringing out a favorable vote in that city for retention of P.R. and in electing a majority of the city council of nine.

Frederick B. Willis, speaker of the

(Continued on page 116)

County and Township . . . . *Edited by Elwyn A. Mauck*

County Manager Plan in the News

Referendum Asked on Anne Arundel County's Charter

UNDER procedures authorized by the state constitution, opponents of the manager plan for Anne Arundel County (Annapolis), Maryland, circulated a petition and secured sufficient signatures to prevent the county commissioners from putting the county's new "business manager" plan, as enacted by the 1947 legislature,[1] into effect without a vote of the people. The plan must now be submitted to the county electorate in the 1948 general elections for a final decision.

Citizens of another Maryland county, Harford, are investigating the merits of the manager plan with a view to its adoption there.

The voters of Pinellas County (St. Petersburg), Florida, have opened a campaign for adoption of the county manager plan.

In accordance with the request contained in a petition filed by a citizens' charter committee in Jackson County (Kansas City), Missouri, circuit and probate judges of the county have appointed fourteen persons—seven Democrats and seven Republicans—as a commission to draft a new county charter. There is widespread interest in the county manager plan.

Interest in adoption of the manager plan is active in Chippewa County (Sault Ste. Marie), Michigan.

Battle Creek Township, Michigan, will vote, in February on incorporation as a "charter" township under the state's new charter township law,[2] which provides that the township board may appoint a chief administrative officer.

In Jackson County, Oregon, the League of Women Voters has begun a study of the advantages of the plan.

[1]See the REVIEW, June 1947, page 349.

San Francisco, Charlotte Suggest Consolidations

Officials of the city and county of San Francisco, California, recently suggested that San Mateo, Marin and Alameda Counties be annexed to it. Further study of the proposal may be undertaken.

The governments of the city of Charlotte and Mechlenburg County, North Carolina, are jointly sponsoring a survey leading to possible consolidation of the two units of government.

Consolidation of Health Departments Voted

The voters of Lackawana, New York, recently decided, by a majority of almost two to one, to merge their city health department with the newly established Erie County health system. The total vote, as compared with that for city officials, was light.

Wisconsin County Forests Increase

Recent reports indicate that Wisconsin county forests now embrace nearly 2,000,000 acres of timber land. Although much of it was surrendered only a generation ago for delinquent taxes, it is now producing substantial quantities of marketable timber. Last year 21 counties produced more than 75,000 cords which constituted a new record. It has been estimated that

[2]See the REVIEW, September 1947, page 470.

cutting could be quadrupled without exceeding the amount of the annual growth.

Modern Survey Techniques Add to County Acreage

Comal County, Texas, recently completed a resurvey of one of its boundary lines and consequently added 1,252 acres to its area. It was explained that in the "old days" surveys were made on horseback either by counting the steps of the horse or measuring the travel time and as a result many errors were made.

Jefferson County, Alabama, Permitted to Plan

The recent session of the Alabama legislature enacted a law whereby counties in excess of 400,000 population may engage in planning activities. It is thus applicable only to Jefferson County. The legislature also approved a proposed constitutional amendment authorizing it to modify the government of Jefferson County. This proposal will be submitted to the voters of the state next November.

Seattle League Urges County Improvements

The Municipal League of Seattle is continuing its campaign for reorganization and improvement of King County, Washington. In recent issues of *Seattle Municipal News* it has emphasized that there are too many units of government, costs are excessive and public officials are lax in adopting needed reforms.

Units of government in the county with taxing powers include one county, seventeen cities and 131 special districts. Special districts have been established for sanitary sewers, drainage, fire protection, schools, water, roads, commercial waterways, ports, libraries, forest fire patrols, airports and ferries. Nearly all are authorized to levy taxes amounting from two to ten mills, although some districts, such as schools, are levying up to 40 mills. The league is especially critical of the slowness with which the two road districts are being consolidated.[1]

An example of excessive cost was given in comparing city and county costs for purchase of tires. Although both have centralized purchasing, the league revealed that the county paid from 24 to 33 per cent more than the city in the recent purchase of tires. The league reiterated its suggestion of a year ago regarding cooperative city and county purchasing whenever possible.

CITY, STATE AND NATION

(Continued from page 96)

mon argument that the fee basis saves the taxpayers' money because it saves them paying another salary is false; in a city of moderate size, with a program of careful law enforcement and an up-to-date fee schedule, the receipts are likely to be well in excess of the expenses of the court and the salary of the judge."

Michigan cities which have established municipal courts recently include Hart, Midland, Mt. Clemens and Muskegon Heights. More than 30 other cities in the state had previously set up municipal courts, presided over by elected judges who must have had training in the law.

[1]See the REVIEW, November 1947, page 592; December 1947, page 652.

Taxation and Finance . . . . . *Edited by Wade S. Smith*

Cities Find Borrowing Grows More Costly

May Mean Reconsideration of Public Works Projects

MONEY is dearer, and is likely to become more costly. That was the important fact facing local governments with large-scale financing of improvement programs under way or proposed as the new year began. For some it will mean drastic revision of improvement plans and for a few, perhaps, abandonment or indefinite postponement of projects.

When this column was written a month ago, the gradual upward movement of local borrowing costs evident since early in 1947 had carried the index of yield of twenty representative local bonds, as compiled by *The Daily Bond Buyer,* from 1.85 per cent in January 1947 to 2.25 per cent the second week in December 1947. The index dropped slightly to 2.24 per cent the third week in December and it seemed reasonable to conjecture that perhaps a leveling off process might be under way.

On December 24, however, the federal government handed its now famous "Christmas present" to the financial community, lowering the official support price or "peg" on long-term government 2½ per cent bonds from around 101 to 100¼. In the ensuing week, the Treasury bought nearly $1,000,000,000 of federal bonds, in support of the new "peg" price, and the entire list of "governments" underwent a violent dislocation as prices were adjusted to the new level of long-term money rates.

Municipal bond prices suffered drops immediately after the new "peg" price for long-term governments was announced, but the holidays served as a damper on trading and most quotations were nominal, with actual markets thin in most issues. While it was encouraging to the experts that there was little disposition on the part of owners to liquidate their holdings at the lower prices prevailing, it was evident that yields on the obligations of cities, counties, school districts, states and other local agencies would be readjusted in greater or less degree to the new level on United States government obligations.

A further threat overhanging the market was the fact that the Federal Reserve System had pending an upward revision in the rediscount rate. This was put into effect the second week in January, raising short-term money costs from 1 per cent to 1¼ per cent. Since the low cost of short-term money is an important factor in the low over-all borrowing costs of local governments—because of the prevailing use by municipalities of serial bonds, which combine short and long term maturities in a single issue—the upping of short-term rates by the government served to emphasize that municipalities could not escape higher charges for the use of other people's funds.

How much of an increase is in prospect is of course not yet clear. No representative public offering of new bonds by a seasoned, first grade municipality was scheduled for the early part of January, but during the latter half of the month a number of well known and highly regarded borrowers had sales scheduled for substantial blocks of bonds. Results of these sales were awaited with interest, for comparison of the bids obtained with ear-

lier proposals would indicate the idea of the financial community as to what readjustments were called for; and whether the bonds were awarded or not by the municipalities would provide information on how far the local units were ready to go in paying higher interest.

Regardless of the exact level at which interest rates for local borrowing finally stabilize, the increase already accomplished is such as to require a re-examination of improvement projects by many local units.

Projects Cost More

During the past year or two it has been by no means uncommon for a city, school district or other unit—especially in the case of smaller communities—to have voted bonds for a project, only to find when construction bids were received that the bond authorization was insufficient and that additional bonds must be approved or the project abandoned.

It is not unlikely now that some projects will be deferred, drastically altered or even abandoned because of another kind of increased cost—the higher cost of borrowing money.

Especially hard hit by the recent increased interest rates are projects designed to be self-supporting from revenues, such as water, light and power, transit, airport and similar improvements. In well managed communities such projects are customarily engineered with the greatest care to secure the nicest possible balance between capital costs, volume of services or sales, service charges or rates and financing costs. Further, many such projects are marginal, with revenue coverage so narrow that any substantial increase on the cost side throws the whole project in jeopardy. When a project is planned with the expectation of selling bonds at, say, 2 per cent, and it proves necessary to pay 3 per cent, such marginal projects prove uneconomical or require drastic revision.

Municipalities subject to tax rate limits which include taxes levied for the payment of bond interest and redemption may also be hard hit by the upward movement of borrowing costs. The low interest costs which have prevailed in recent years have been a boon to such units, permitting them to capitalize partially the saving in interest by expending larger principal amounts for improvements. Now they must finance their improvements with the same amount of annual expenditure, but with interest costs higher the construction program itself will have to be curtailed.

1947 Pari-Mutuel Betting Falls Below Previous Year's Total

During 1947 pari-mutuel betting totals at the nation's key horse-racing tracks lagged significantly behind totals for the record-breaking 1946 racing season, reports the Federation of Tax Administrators.

The New York 1947 racing period ended with a total of $352,630,000 bet through pari-mutuel windows, more than 13 per cent less than last year's total. In Florida even though attendance increased 10.8 per cent betting decreased .5 per cent. Racing revenues in California decreased 16 per cent.

Reports from other tracks fill in the picture. Total betting at New Hampshire's Rockingham Park this season was 19 per cent less than last year. At Washington Park, Illinois, the summer meet accounted for a mutuel total 25.09 per cent smaller than in 1946. In Canada betting at Ontario tracks during the first two months of the season dropped 10 per cent.

Though horse-racing continues to be a billion-dollar-plus annual business in the 25 states where betting is legal, few tracks have reported pari-mutuel

totals for the year as large as 1946 amounts. State revenues in 1947 from taxes on horse-racing are expected to be below last year's record total of $93,800,000 in nineteen states.

First "Budget Session" for California Legislature

Beginning March 1 this year, California, whose legislature has heretofore met in odd-numbered years and adopted a budget for the succeeding biennium, holds the first special budget session of its legislature as provided by a 1946 amendment to the state constitution. The budget session will enact the first annual budget, for the fiscal year ending June 30, 1949. The succeeding regular legislative session in 1949 will likewise enact a budget, for one fiscal year only, continuing budgeting on an annual basis.

Under the 1946 amendment even-year legislative sessions will be restricted to consideration of the budget and related matters and such emergency legislation as requires a two-thirds vote.

Constitutional limitations on the powers of the "budget legislature" are reported to be the subject of much pre-session study by legislators and state officials. According to one point of view, special appropriation bills—including the usual omnibus bills—will be forbidden, and such items as departmental deficiencies, etc., will have to be provided for as amendments to the budget bill itself. Further, it is expected that "emergency" legislation, if enacted and if not strictly related to the budget, may become the subject of court tests.

City Financial Reports Praised

The annual survey of municipal financial reports, made by the Municipal Finance Officers Association, has recently been completed, and the association has announced that "local taxpayers generally are getting a better explanation than ever before of how their dollars are spent."

The association cites as especially good the financial reports of Kansas City, Missouri; Richmond, Virginia; and New Haven, Connecticut.

In bestowing its accolade, the finance officers' organization states that: "Biggest improvement in city financial reports during the past decade is that they are becoming briefer, more graphic and generally far easier for the average citizen to understand. This trend contrasts sharply with the bulky fiscal documents which have been traditional." The group surveyed specifically reports of 50 cities varying from 50,000 to 500,000 population.

Without in any way detracting from the fact that the present state of municipal financial reporting is substantially improved over what it was ten to fifteen years ago, and that a majority of the larger cities are doing an acceptable job, it none the less must be noted much still remains to be done. In the smaller communities especially, preparation of good annual financial reports is still so exceptional as to suggest, to the outsider at least, that the local administration is unusually efficient and business-like. Unfortunately, there are still some conspicuous examples among cities in the "over 50,000" group of reporting either virtually non-existent or so bad as not to deserve the name. Not until every unit of municipal government publishes an acceptable annual financial report should the finance officers rest on their laurels.

Admittedly, the measure of what constitutes an acceptable annual financial report has stiffened appreciably in recent years, and the general quality of the reports of those units issuing them has tended to rise to the higher

standards. Note that word, "tended": not all the changes made in financial reports have been improvements, by any means, despite the fact that such changes made for brevity or that charts, graphs or pictures of the new accounting machines were introduced.

Abbreviated statements and skeletonized summaries have the virtue of being easy reading for the lay citizen, but unless they are accompanied by detailed supporting statements or a separate, more comprehensive report, the layman with his interest fully aroused is likely to find himself enjoying the disadvantages as well as the joys of predigested literature.

The most significant improvement in annual financial reports of local units, in the writer's opinion, have been made in the preparation of balance sheets. There are still too many units which do not have balance sheets, and there are still too many statements purporting to be balance sheets which are not. Anyone receiving a number of different municipal financial reports nowadays, however, has a reasonably good expectation of finding many excellent balance sheets, prepared intelligently to reflect the condition of the several funds which the unit is required by law to maintain.

Contrariwise, the least skill and ingenuity has been shown in presenting the cash statement, especially in cities with an accrual method of accounting, where the tendency has been to eliminate the cash statement or to reduce it to a mere reconciliation of opening and closing cash. Details on receipts and disbursements are still informative, even in accrual accounting units, and they will become more so when the next depression hits and revenue collections begin to lag.

Yes, the good showing of 50 of the larger cities is something to be praised, but local officials and citizens alike still have a long way to go before stories can be written implying that all is well on the annual financial reporting front.

PROPORTIONAL REPRESENTATION

(Continued from page 110)

Massachusetts House of Representatives, gave an instructive talk on the progress of Plan E (manager plan with P. R.) in his state, where in 1947 five municipalities — Worcester, Medford, Revere, Quincy and his home town of Saugus—adopted the plan. He also commented on the successful use of Plan E in Cambridge and Lowell.

In connection with the Worcester campaign for Plan E, Robert B. Service, Jr., reported on the successful efforts of his group—"where no one was a 'name' person at whom opponents might level attacks".

M. H. Satterfield of the Tennessee Valley Authority reported on the use of P. R. in Norris, Tennessee. Remarks were also made by Walter J. Millard, field secretary of the P. R. League, and Rev. Edward Dowling, S.J., of the *Queen's Work*, St. Louis.

Local Affairs Abroad . . . . . *Edited by James E. Gates*

British Columbia State-Local Relations

Legislature Plans to Adopt Goldenberg Recommendations

PREMIER John Hart of British Columbia has announced that the recent report of the Goldenberg Commission on Provincial-Municipal Relations in British Columbia would be "implemented in full" during the present legislative session.

The report is an exhaustive and comprehensive one, covering municipal organization in British Columbia, municipal functions and expenditures, municipal debts, revenues, taxation (real property tax and business and other taxes), tax-exempt property, municipal finances today, provincial-municipal relations. It makes 60 recommendations, which would, upon full implementation, mean a saving to British Columbia municipalities of approximately two and a quarter million dollars.

Among the recommendations is the suggestion that the province pay annually to municipalities one-third of the revenues from motor vehicle license fees after deducting costs of administration, payment to be apportioned on a population basis. This would mean a refund estimated at $730,000 more than now.

It is also recommended that the province extend its present 80-20 per cent division of social welfare costs between the province and the municipalities, respectively, to cover welfare services generally; that the municipalities be relieved of unemployment relief costs; that superannuation plans for civic employees be reviewed; that the province assume certain of the administrative costs relating to police and court operations.

In addition, it is recommended that Crown properties and buildings owned by the dominion and province and used for commercial purposes pay full municipal taxes and that where there is an undue concentration of dominion or provincial government property used for governmental purposes, the municipality receive an annual grant in lieu of taxes.

In its summary, the report states that "if the recommendations are implemented the relief to the municipalities in the fiscal year 1947-48, through increased provincial grants or by a transference of responsibilities to the province, may be estimated at about $1,750,000, which figure will tend to rise as a result of the recommended periodic reviews and as new policies based upon other recommended readjustments are developed. This relief will be in addition to the increase in school grants, estimated at $2,000,000 in 1946-47."

South African Commission Fights 'Irregular Urbanization'

A recent report appearing in the *South African Municipal Magazine* discusses the work of the South African Local Health Commission, a permanent body created by 1941 legislation primarily to provide local authority personnel in so-called public health areas.

General effect of the legislation is to make it possible for the provincial administrator to establish a form of local government wherever, in his opinion, it is necessary and where it is not possible to establish one of the orthodox forms provided in provincial legislation. The act represents the provincial council's endeavor to cope with the

problems of irregular urbanization.

When a community is proclaimed a public health area the Local Health Commission automatically becomes its local authority, with the powers and duties usually associated with such authority. In practice the commission's responsibilities apply for the most part to urban areas in which the population is mainly non-European and predominately native.

The commission is a corporate body of three members appointed by the administrator for terms of five years. Features which distinguish it from the general run of local authorities are that it is a paid body and that it depends in large measure for its revenues on provincial grants. While it is empowered to impose taxes—and does exercise this power—most of the areas coming under its control, though urban in character, abound with features that preclude the application of the principle of taxing in its entirety.

The commission is an autonomous body and within the framework of its legislative structure it has as much freedom of action as is possessed by any local government body. Since, however, it is dependent upon the province for the greater part of its revenue, its autonomy is conditioned by the measure of financial support accorded. In other words, it is also an instrument of provincial policy, and the province regulates the tempo even if it does not entirely call the tune.

If the province is prepared to meet the growing cost, there seems no reason why the commission's work should not eventually overcome the growth of irregular urbanization and eventually bring about its elimination. When that state is reached the commission will have outgrown its usefulness.

The commission's work has embraced considerably more than the operation of public health areas. It has completed surveys of many areas where irregular urbanization exists. In some cases its activities have contributed to a solution of the problem by means which have avoided the necessity for its establishment as the local authority.

The commission does not wish to be judged by the number of public health areas established but by the extent to which its work leads to the elimination of the necessity for such areas.

Australian Shires Combine to Hire Health Inspectors

Because there is insufficient work for a full-time health inspector in many sparsely populated shires, it is the practice in both Victoria and Queensland for two or more shires to group together in the joint employment of an inspector, reports the *Australian Municipal Journal.* Such groups have been formed more or less indiscriminately without regard to efficient and economical treatment of the state as a whole.

It is obvious that the best results can not be obtained by such a method and the Health Departments of the two states have proposed a redivision of the health inspectors' areas to provide what they consider more efficient service.

The departmental recommendations, meanwhile, are meeting with strong opposition in both states. It is obvious to many, however, that there is merit in the departmental proposals and that, by a careful viewing of each state as a whole, improvement can be made on the present indiscriminate groupings.

London Eases Traffic Congestion

The experiment of banning parking in ten miles of London streets, and the prohibition of slow moving traffic

in some areas, has been a great success in easing traffic congestion. In the streets affected by the new regulations —mainly in the congested West End— cars are not allowed to park, taxis must not wait for fares, and trucks must load or unload within twenty minutes. In some streets horse-drawn traffic and hand-propelled vehicles are prohibited during certain hours.

The combined effect of these measures has resulted in a distinct easing of congestion in the main thoroughfares and a consequent improvement in the speed of vehicles.

One effect of the "no waiting" ban has been increased use of parking lots recently established on bomb-damaged sites.

British Research Board Studies Water Pollution

The report of the British Water Pollution Research Board for 1939-1945 has just been published. It describes the work undertaken during those years for safeguarding drinking supplies and increasing the efficiency of sewage disposal and treatment of waste waters.

The activities of the board cover a wide field. Work on alternating double filtration and on the recirculation of effluent which the Board carried out at Birmingham is described. The result of this development is that a considerably smaller plant, occupying less land, is required for the same amount of sewage formerly dealt with.

Australian Municipal Banking Transfers Averted

Councils throughout Australia have reason to be grateful to the Melbourne city council for taking the initiative in testing the validity of the Commonwealth Banking Act[1] in so far as it conferred power on the commonwealth to limit councils in their choice of banking institutions, comments the *Australian Municipal Journal.*

Need for some federal-municipal body which could act promptly in such a case on behalf of Australian municipalities was emphasized by this recent experience. While the local government associations of Victoria, New South Wales, Queensland and Tasmania were all contemplating taking steps, there were difficulties in the way of any quick action.

The satisfaction which municipalities felt at the success of the Melbourne council's testing of the act is accentuated by their resentment of the methods employed by the commonwealth government to jockey them into transferring their accounts to the commonwealth bank prior to a decision of the high court on the matter.

This resentment was not eased by the action of the commonwealth bank in placing temporary bank buildings on vacant blocks, in defiance of municipal by-laws, so that it would be in a position to handle municipal accounts in towns where no branch of the bank had existed.

New Municipal Association in Northern Rhodesia

An association of local government authorities, to be known as The Municipal Association in Northern Rhodesia, was founded at Ndola on July 21 at a conference which was attended by the representatives of two municipalities and seven management boards.

Speaking at the conference, the mayor of Livingstone said that lack of adequate resources to meet the growing needs of the public for better services was one of the greatest hindrances to local authority development. It was satisfying to note that the government was to make a long overdue survey of the matter.

[1]See the REVIEW, December 1947, page 658.

Low Budget Municipalities to Be Eliminated

According to an article published on June 4, 1947, by the newspape· *El Tiempo* of Bogota, Columbia, a bill has been introduced in the legislature whereby municipalities having a budget under ten thousand dollars or a population of less than 3,000 will be suppressed. Should such a bill become law several municipalities will be subject to its provisions.

Spends 75 Years in 'Temporary' Harness

It is reported from Brussels that M. M. Ehlen, an 89-year-old clerical employee of the town council of Verviers, Belgium, has decided to retire after having served 75 years in a "temporary" capacity. When he started work in 1872 at the age of fourteen he was considered too young to sit for the selection examination and was therefore accepted on a temporary basis.

Civic Heraldry Continues in Great Britain

The use of armorial bearings by corporations is not new. Even in the Middle Ages, when heraldry was mainly a personal and family matter, certain cities and towns such as London, Norwich, Shrewsbury and Kingston-upon-Hull, placed in their seals heraldic shields, which are still their civic arms, borne by prescriptive right.

In the sixteenth and seventeenth centuries the heralds, in the course of their visitations, recorded and sanctioned many such arms adopted by corporations, and in some cases formally granted arms where none had been used before, says C. W. Scott Giles in a recent issue of *Municipal Journal and Local Government Administrator.*

By 1700, 90 English cities and towns had acquired armorial bearings. Today, some 360 local authorities in England and Wales bear arms by right (excluding those using some device of local adoption which has not been recognized or granted by the Kings of Arms), and of these arms nearly three-quarters have been granted during the last hundred years. Civic heraldry is thus largely of modern growth, though it is firmly rooted in antiquity and tradition.

In the steady progress towards popular government, local authority has passed from the feudal families and the squirearchy to democratic bodies—the county, borough and district councils—and it is natural and fitting that these bodies should bear not only the public duties which the "nobility and gentry" performed (not unworthily in their days), but also the appropriate dignities, including the right to use tokens of honor and authority.

Armorial bearings granted to local authorities in recent years follow traditional lines in representing symbolically the history and present-day character and interests of the places for which they stand, while moving with the times to the extent of indicating industries and features undreamed of in the days of chivalry. We have old symbols with new meanings, such as the beacons of Brierley Hill representing the industrial furnaces of the Black Country; and we have some new emblems such as the aeroplane "volant" in the arms of Beddington and Wallington.

Books in Review

You're the Boss. By Edward J. Flynn. New York, Viking Press, 1947. 244 pp. $3.

Mr. Flynn has been for 25 years Democratic leader of the Bronx and a great power in municipal, state and national Democratic politics. Most of his lucid and well written volume is personal reminiscence of his political career and his participation in Democratic party affairs, and thus ranks as recent history.

About eleven pages contain authoritative source material for the political scientist. Nothing in it will surprise a local newspaper reader, but the material documents popular conviction as to how a political boss operates. Indeed, it makes Flynn a modern Plunkett. Plunkett, my young friends, was a Tammany politician who talked to a reporter, who published the conversation in a book. Plunkett described "honest graft." He considered it honest to anticipate the city's efforts to buy school sites by using inside foreknowledge of the city's intentions to get options on the properties and re-sell promptly and profitably to the city.

Such practices are out-of-date, but Mr. Flynn considers it quite in order to pay for his private advancement and maintenance in power out of the public treasury by other means, and he relates it all with remarkable candor and lame remarks of justification. "You're the boss" means that the readers—the people—are the bosses, but he proves they are not and can hardly make themselves so without extraordinary paroxysms of effort which they can hardly hope to maintain, especially since government, in part at least, finances the resistance of the "ins."

Now we will quote, with careful fairness:

"We cannot have government without elections, elections without organizations, or organizations without a 'spoils system' . . . . If it is immoral, then man is immoral."

"At the time I assumed the office of sheriff of Bronx County, in January 1922, it had become pretty much of a sinecure. . . . The appointees of the sheriff's office were not covered by the merit system and were selected strictly on a political basis. There were 67 positions in all, 62 of them political plums within the gift of the sheriff."

"In filling the 62 of the 67 jobs in the sheriff's office that were political appointments I considered the party's interests, and my own."

"Now the office of sheriff was highly important to the party from the standpoint of the county leadership, for it had at its disposal a number of exempt positions, i.e., appointive positions not subject to civil service requirements. The men occupying these jobs formed the backbone of the Democratic party in the county. Control of the office would pretty nearly decide control of the county organization."

"Shortly after I took office as sheriff in 1922, Arthur Murphy, leader of the Bronx, died. . . . This announcement was important, because of the fact that the sheriff's office contained so many exempt positions. The power to dispense these jobs was extremely important in influencing such a choice as now faced the organization. A number of positions in the sheriff's office were held either by district leaders or by district captains. Others who held them were in strong positions to exercise pressure on the leaders in their districts."

"I blurted out that I intended to call a meeting of my supporters and have myself elected leader, whether anybody liked it or not."

Mr. Flynn describes the district attorney's office whose exempt jobs are a valued stepping-stone for young lawyers leading toward judgeships. "Therefore the great majority of lawyers join the organization and are active in anticipation of political preferment in the district attorney's office and eventual election or appointment to some place on the bench; or, failing that, some other public office the County Committee might obtain for them."

"For a long period of time people who have held exempt positions usually have contributed to party activities. In the Bronx this is a very loosely enforced rule. Because of the Hatch Act, money is not contributed directly by the person involved, but usually by some member of his or her family. . . . Even so, many officeholders do not contribute, and for a variety of reasons. There may be sickness in the family. Or there may be any number of reasons, which they can satisfactorily explain, to secure exemption from contributing. The individual never suffers (in the Bronx) if his explanation is truthful and sincere."

"Today, actual power in the Democratic party in the Bronx resides with the Executive Committee. The chairman is, however, the real power within that committee, and for an obvious reason. There are nineteen votes: 28 executive members with a half-vote each; the county committee chairman, first vice chairman, secretary and treasurer with a full vote each; and the chairman of the Executive Committee (myself) with one vote. Since I choose the people who are elected officers of the general County Committee, I can always count on four full votes besides my own, which leaves me only five of the remaining fourteen to garner to assure myself of control."

"The Executive Committee chairman or 'boss,' is absolute within the organization. There is no appeal from his decisions. I say no appeal. There is one. For if a member of the organization feels that he has been mistreated or that he is stronger than the organization and can therefore challenge the 'boss,' he may do so. But he can be sure that every ounce of strength in the 'machine' will be brought to bear against him. This is indeed rigid discipline. But it is essential that no one successfully challenge the decisions of the organization."

"I have been chairman of the Democratic Executive Committee of Bronx County for a quarter of a century. . . . How do I maintain the majority support of the Executive Committee? To begin with, I always see to it that the key party workers have some sort of exempt positions, if they want them. . . . The families also—sons, daughters, husbands, wives—of the district leaders are taken care of in some way or other. . . . I have the final word about who should be appointed to positions that control exempt jobs. The county committeemen who elect the executive members know this."

"I am a practical politician. I know the facts of political life. I know that political machines, far from being anachronisms, are as modern as the combustion engine—and as indispensable. . . . And I also know that wherever the majority of voters work actively inside a political machine, you have a machine that represents the voters. It is as simple as that." (Where or when he ever saw the majority work so actively, Mr. Flynn does not report.)

Thus Mr. Flynn describes his ascent to his throne. The sheriff's patronage has since been wiped out and every one of those exempt jobs is in the competitive civil service. But today

in Bronx County there are 165 exempt' positions (including federal nes)."

With the same cool cynicism, Flynn slates political events in which he articipated: how Boss Murphy hand-icked a Court of Appeals judge in esponse to an appeal from a dear old ady who brought tears to his eyes; ow in the 1932 Democratic conven-ion, in the credentials committee, "We ecided to support Long's slate be-ause he had pledged himself to the andidacy of Roosevelt." (How about he merits?) "Huey Long appeared efore the committee. . . . It was clear hat even if members of the commit-ee had been free to vote as they saw t, the Long presentation would have onvinced them."

And how Boss Murphy, whom Flynn dored, told Governor Smith: " 'Al, ou will either sign this bill or I will ever support you again, either for he presidency or for the governor-hip.' . . . Smith signed."

In the July 1947 *Atlantic Monthly,* Mayor La Guardia takes Flynn's con-essions over the coals in his own way. La Guardia for twelve years as mayor affronted his supporters by the passion with which he rejected pleas for patronage. But La Guardia put the public interest first, which Flynn calls naive.

RICHARD S. CHILDS

Additional Books and Pamphlets

Administration

Reflections on Public Administration. By John Merriman Gaus. University, University of Alabama Press, 1947. 153 pp. $2.

Airports

Financing the Airports and Marine Terminal of the Port of New York. By Austin J. Tobin. Address before the Municipal Forum and the Municipal Bond Club of New York. New York, the Forum, 1947. 16 pp. 50 cents. Discounts on quantity orders. (Apply Monroe V. Poole, chairman, Committee on Publications, 37 Wall Street, New York.)

Assessments

Assessment of Real and Personal Property 1931 through 1946. Oklahoma City, Oklahoma Tax Commission, 1947. 45 pp. mimeographed.

Civil Service

Civil Service Laws and Rules. Milwaukee, Board of City Service Commissioners, 1947. 248 pp.

Measuring and Rating Employee Value. By John B. Probst. New York, Ronald Press Company, 1947. xi, 166 pp. $5.

Placement and Probation in the Public Service. Reports submitted by the Committee on Placement in the Public Service and the Committee on Probation in the Public Service. Chicago, Civil Service Assembly of the United States and Canada, 1946. xvi, 201 pp. $3.50.

Housing

Housing Characteristics in 108 Selected Areas. 1946 Veterans' Housing Survey and the 1940 Census of Housing. Washington, D. C., Bureau of the Census, 1947. 42 pp.

Housing in Wichita: 1947. Wichita Housing Survey Sponsored by the City Planning Commission of Wichita with the cooperation of the Public Housing Administration, Fort Worth, Texas. Wichita, Kansas, City Planning Commission, 1947. 58 pp.

Taxation and Finance

Money Rates and The Bond Market. By Joseph Stagg Lawrence. Address before the Municipal Forum of New York. New York, the Forum, 1947. 9 pp. 50 cents. Discounts on quantity

orders. (Apply to Monroe V. Poole, chairman, Committee on Publications, 37 Wall Street, New York City.)

Preparing for the 1949 Federal Budget. The Outlook as to Expenditures, Taxes and the Public Debt. Washington 6, D. C., Chamber of Commerce of the United States, Finance Department, 1947. 23 pp.

Summary of Governmental Debt in 1947. Washington 25, D. C., Bureau of the Census, 1947. 4 pp.

Traffic Safety

Immediate Goal and Action Program. The President's Highway Safety Conference, Washington, D. C., June 18-20, 1947. A Summary of Recommendations of Conference Committees and Advisory Groups. Washington 25, D. C., U. S. Government Printing Office, 1947. 52 pp. 20 cents.

Promoting Traffic Safety (Revised). Chicago, National Safety Council, 1947. 51 pp. Illus.

A Selected Bibliography on Highway Safety (Annotated). Nos. I and II Washington 25, D. C., Highway Research Board, 1947. 86 and 46 pp. respectively.

Traffic Performance at Urban Street Intersections. By Bruce D. Greenshields, Donald Schapiro, and Elroy L. Erickson. New Haven, Yale University, Bureau of Highway Traffic, 1947. xv, 152 pp.

You Bet Your Life. The Travellers 1947 Book of Street and Highway Accident Data. Hartford, Connecticut, The Travelers Insurance Companies, 1947. 31 pp.

COUNTIES IN A STRAIT-JACKET

(Continued from page 85)

with respect to local governments, contains the following basic provisions relating to counties:

1. Counties would be authorize to frame and adopt charters for thei own government, in accordance wit a prescribed procedure.

2. For those counties not desir ing to frame and adopt their ow charters, provision would be mad by general law for the organizatio and government of counties, includ ing optional plans of government.

3. Provision would be made b general law for the incorporation o counties, for alteration of their boun daries and for their consolidatio and dissolution.

4. The legislature would be pro hibited from passing a special ac dealing with a county in any cas where a general act could apply.

5. Counties and cities would b authorized to enter into agreement for joint performance or for transfe of services and functions.

The adoption by the states of con stitutions containing these or simila provisions would make it possible fo any county to secure a modern coun ty government adapted to fit th needs of the county and equipped t perform its services in an efficien and economical manner.

The *Model State Constitutio* should also be followed by leavin out of the constitution all reference to specific officials as well as othe details not essential to a statemen of basic principles concerning count government.

Until constitutional barriers ar removed county governments in gen eral will continue to fall far short o the accomplishments expected o them.